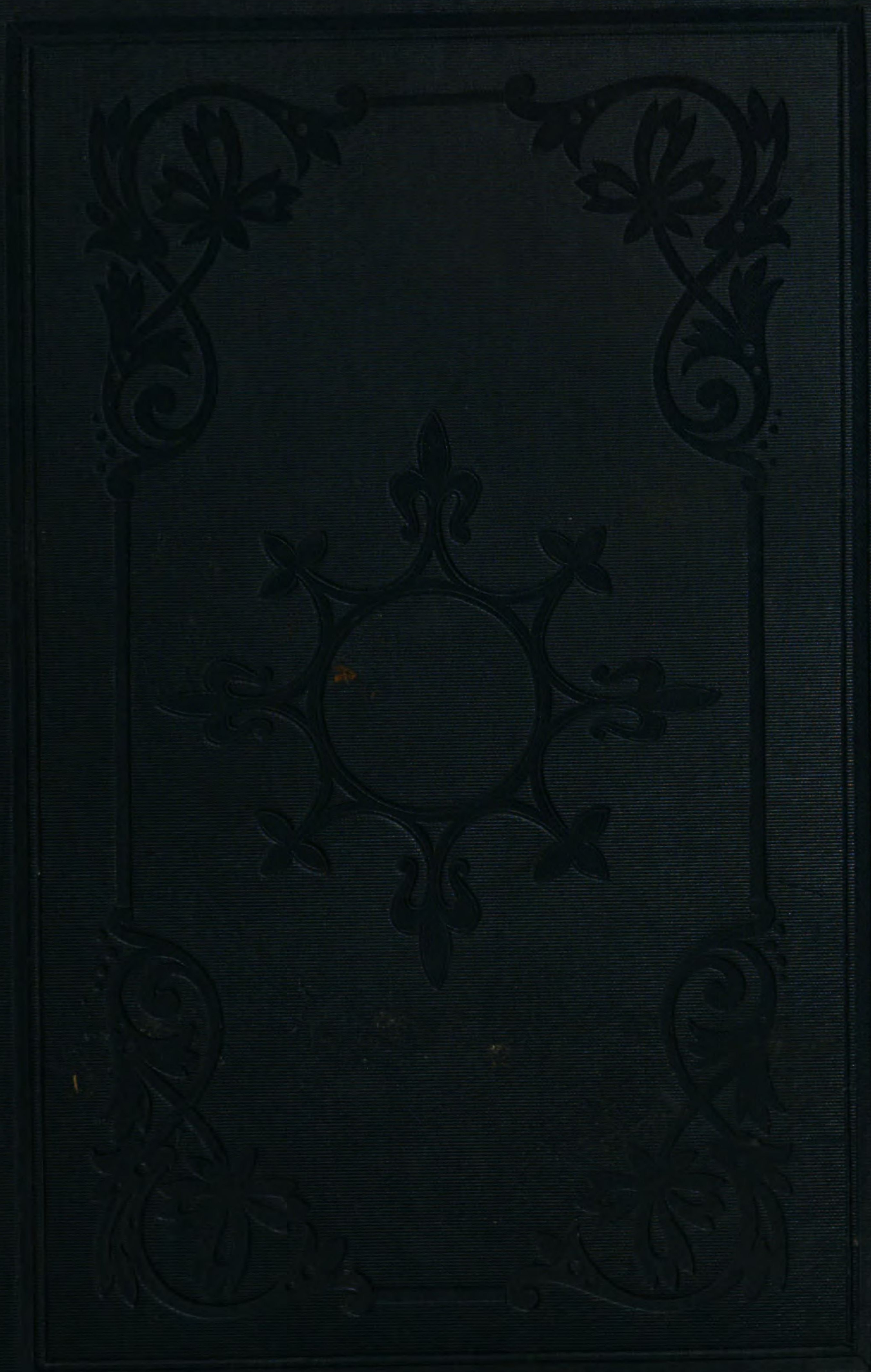


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Calendar

CALENDARS.

Instructions to Editors.

The Master of the Rolls desires to call the attention of the Editors of Calendars to the following considerations, with a view to secure uniformity of plan in the important works on which they are engaged:—

He is anxious to extend, as far as is consistent with proper economy and despatch, the utility of the Calendars of State Papers now publishing under his control: 1st. As the most efficient means of making the national archives accessible to all who are interested in historical inquiries; 2nd. As the best justification of the liberality and munificence of the Government in throwing open these papers to the public, and providing proper catalogues of their contents at the national expense.

The greater number of the readers who will consult and value these works can have little or no opportunity of visiting the Public Record Office, in which these papers are deposited. The means for consulting the originals must necessarily be limited when readers live at a distance from the metropolis; still more if they are residents of Scotland, Ireland, distant colonies, or foreign states. Even when such an opportunity does exist, the difficulty of mastering the original hands in which these papers are written will deter many readers from consulting them. Above all, their great variety and number must present formidable obstacles to literary inquirers, however able, sanguine, and energetic, when the information contained in them is not made accessible by satisfactory Calendars.

The Master of the Rolls considers that, without superseding the necessity of consulting the originals, every Editor ought to frame his Calendar in such a manner that it shall present, in as condensed a form as possible, a correct index of the contents of the papers described in it. He considers that the entries should be so minute as to enable the reader to discover not only the general contents of the originals, but also what *they do not* contain. If the information be not sufficiently precise, if facts and names be omitted or concealed under a vague and general description, the reader will be often misled, he will assume that where the abstracts are silent as to information to be found in the documents, such information does not exist; or, he will have to examine every original in detail, and thus one great purpose will have been lost for which these Calendars have been compiled.

As the documents are various, the Master of the Rolls considers that they will demand a corresponding mode of treatment. The following rules are to be observed:—

1st. All formal and official documents, such as letters of credence, warrants, grants, and the like, should be described as briefly as possible.

2nd. Letters and documents referring to one subject only should be catalogued as briefly as is consistent with correctness. But when they contain miscellaneous news, such a description should be given as will enable a reader to form an adequate notion of the variety of their contents.

3rd. Wherever a letter or paper is especially difficult to decipher, or the allusions more than ordinarily obscure, it will be advisable for the Editor to adhere, as closely as is consistent with brevity, to the text of the document. He is to do the same when it contains secret or very rare information.

4th. Where the Editor has deciphered letters in cipher, the decipher may be printed at full length. But when a contemporary or authorised decipher exists it will be sufficient to treat the cipher as an ordinary document.

5th. Striking peculiarities of expression, proverbs, manners, &c. are to be noticed.

6th. Original dates are to be given at the close of each entry, that the reader may know the exact evidence by which the marginal dates are determined.

7th. Where letters are endorsed by the receivers and the date of their delivery specified, these endorsements are to be recorded.

8th. The number of written pages of each document is to be specified, as a security for its integrity, and that readers may know what proportion the abstract bears to the original.

9th. The language of every document is to be specified. If however, the greater part of the collection be in English, it will be sufficient to denote those only which are in a different tongue.

10th. Where documents have been printed, a reference should be given to the publication.

11th. Each series is to be chronological.

12th. The Prefaces of Editors, in explanation of documents in the volume, are not to exceed fifty pages, unless the written permission of the Master of the Rolls to the contrary be obtained.

* * * Editors employed in foreign archives are to transcribe at full length important and secret papers.

CALENDAR
OF
STATE PAPERS,
DOMESTIC SERIES,
CHARLES I.
1639-40.

THE STATE OF NEW YORK

IN SENATE

January 18, 1880

REPORT

OF THE

STATE OF NEW YORK

DOMESTIC

AND FOREIGN

TRADE

1879-80

ALBANY: J. B. LIPPINCOTT & CO., PRINTERS.

CALENDAR
OF
STATE PAPERS,
DOMESTIC SERIES,

[B] OF THE REIGN OF
CHARLES I.

[15] 1639-40.

PRESERVED IN

HER MAJESTY'S PUBLIC RECORD OFFICE.

EDITED BY

WILLIAM DOUGLAS HAMILTON, ESQ., F.S.A.

OF H.M. PUBLIC RECORD OFFICE AND THE UNIVERSITY OF LONDON.

UNDER THE DIRECTION OF THE MASTER OF THE ROLLS, AND WITH THE SANCTION OF
HER MAJESTY'S SECRETARY OF STATE FOR THE HOME DEPARTMENT.

LONDON:

LONGMAN & Co., PATERNOSTER ROW; TRÜBNER & Co., LUDGATE HILL:

ALSO BY PARKER & Co., OXFORD;

MACMILLAN & Co., CAMBRIDGE;

A. & C. BLACK, EDINBURGH; AND A. THOM, DUBLIN.

1877.

CALENDAR

STATE PAPERS

DOMESTIC SERIES

OF THE REIGN OF

CHARLES I.

1630-40.



HER MAJESTY'S PRINTERS

PRINTED BY

WILLIAM DODD'S HAMILTON, ESQ. M.A.

OF HIS MAJESTY'S PRINTS AND THE UNIVERSITY OF LONDON.

UNDER THE DIRECTION OF THE SECRETARY OF THE HOUSE OF COMMONS, AND WITH THE APPROBATION OF THE HOUSE OF COMMONS.

LONDON:

LONGMAN & CO. PATERNOSTER ROW; THURNE & CO. PATERNOSTER ROW;

AND BY TAYLOR & CO. OXFORD;

MACHILLAN & CO. CAMBRIDGE;

A. & C. BLACK, KILNURCH, AND A. THOM, DUBLIN.

Printed by GEORGE E. EYRE and W. SPOTTISWOODE,
Her Majesty's Printers.

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P R E F A C E.

THE papers calendared in the present volume extend over a period of six months, viz., the three closing months of the year 1639 and the opening months of the eventful year 1640. The startling occurrences which took place in England during this and the two succeeding years have ever since been the subject of much controversy, and the documents which are preserved to us illustrative of the motives and characters of the men by whose instrumentality they were brought about are by no means too abundant. The student will, therefore, welcome the more gladly the large contribution to the history of the earlier portion of this period furnished by the papers in this volume. These papers relate chiefly to the events between the close of the first campaign against the Covenanters and the assembling of the Short Parliament. In the preface to the last volume of Domestic Calendar a rather full summary was given of the events which led to the undertaking of the Bishops' wars, as these two first campaigns are frequently designated. A brief notice of the general character of the documents in this volume is all, therefore, that will be needed by way of introduction in this place. The great bulk of the papers have some reference to the constitutional questions which culminated in the Long Parliament. Next in number are those relating to the Scottish dispute, and the military preparations for the renewal of the war. The recep-

tion given by the King to the Commissioners deputed by the Scottish Parliament receives elucidation from these papers; and the notes jotted down by Secretary Windebank at their audiences with the King are of especial interest.

The appeal made by some of the leading Covenanters to certain of the English nobility to use their influence in favour of peaceful counsels was seized on by the Government as an evidence of the treachery of the Scots. The animus which moved the King and Council at that time is clearly shown in the King's letter,¹ summoning John Leslie, Earl of Rothes, "to make his immediate repair hither into England to answer to these and any other matters that shall be objected against him." The letter of Rothes² complained of was addressed to Philip Earl of Pembroke and Montgomery, Lord Chamberlain, and is of an eminently pacific character. In it Rothes writes:—

"You found we had reason for our lawful defence, and that we had loyal hearts to our Prince, and justice in all our desires, which moved you to plead for us, and so engaged the affections of many to you; but since, when Lord Traquair made his relation that moved hard conclusions against us, not requiring so much as that it should not obtain truth, to the prejudice of a whole nation, till we were heard; and agreeing that an army should be levied, and lending moneys hath much grieved us, to be disappointed of one we so much trusted, I have therefore made bold to entreat that we may keep better correspondence, or else by mistake we may be brought again to begin a mischief that will not end in our days. As we have formerly declined it, so shall it not be our fault. And it lies in your Lordship and other great persons to prevent these evils. You have lived in all great ease, [peace] and plenty [for many years] as any nation in the world, and if you like to interrupt your own

¹ p. 609, No. 51.

² p. 397.

happiness for the pleasure of some prelates who will share little in the hardship and dangers that will be endured, you are not well advised."

Besides appealing to certain of the English nobility to advocate their cause, it would appear that the Covenanters had designed to interest the Queen of Bohemia and the French King in their favour,¹ which was a matter of still more serious import. When Traquair, who had been sent for to give an account of his proceedings in the Scotch Parliament, delivered to the King a letter addressed to Louis XIII. which had fallen into his hands, matters at once assumed a different aspect from what they had previously done. Charles and the junto of the Privy Council by which the affairs of Scotland were managed, consisting of eight persons, all Englishmen except Hamilton, would appear to have hastily concluded that this direct appeal to a foreign prince for his countenance and assistance—high treason by the law of Scotland,²—would inspire all England with an indignation equal to their own, and remove the remaining scruples of those who had previously objected to the legitimacy of the war with Scotland as an unwarrantable interference with the internal affairs of a "neighbour country," which, although united under the same crown, was guaranteed the enjoyment of its separate constitution and laws.

All negotiation with the Scottish commissioners was consequently at an end, and the chief of them, Loudoun, whose signature was subscribed to this letter³, was by the King's order committed to the Tower.

¹ Loudoun's Deposition, 14th April 1640.

² Spalding's History of the Troubles, vol. i. p. 182.

³ Large Declaration, p. 609, No. 49.

At page 610 will be found a draft of the letters summoning all the other covenanting Lords whose signatures were subscribed, to make their immediate repair to the court, to answer certain grave charges, which, although not specified, may be taken to relate to this letter, as the names of those to whom it was addressed are identical with those who signed the letter.

The letter itself to the French King is printed in Rushworth's Collections,¹ together with an English translation; and a contemporary copy, made by Windebank and compared with the original by the King himself, is preserved amongst the State Papers. It has been calendared under the date of March 1640 (see p. 610), when it was submitted by the King to the Council, though probably written much earlier, as Loudoun deposes in his examination, dated April 14th, 1640, which is also preserved amongst these papers, that the letter was drawn out "the last year, [*i.e.* 1639,] about the time the royal army went into the North."

It was addressed "Au Roy," evidently meaning Louis XIII., and is subscribed by the Earls of Rothes, Montrose, Marr, Mountgomery, Loudoun, Forrester, and Sir Alexander Lesley. Much discussion has taken place as to the historical importance to be attached to this letter,—some holding it to be a duplicate of the letter sent, while others refuse to believe that any letter at all was transmitted. Since, however, the publication of the notes at the end of M. Mazure's *Hist. de la Révolution en 1688*, the receipt of the letter by the French Government has been supposed to be established, contrary to the previously expressed opinion of Hume, Laing, Brodie, and other historians. Loudoun, however, in his Deposition,²

¹ Vol. iii. pp. 1037–8.

² 14th April 1640.

which was taken upon oath at the time, explicitly states his belief "that neither Mr. Colvile nor any other did
" carry these letters [into France], or that any use was
" made of them at all, because peace ensued, and so it was
" not thought convenient to send them; so other noble-
" men told him." And from Secretary Windebank's endorsement to the copy of the letter calendared in this volume, we learn that the original letter secured by Traquair, and delivered to the King, was transmitted to the Earl of Leicester, then English ambassador at Paris; so that even if the letter should have come into the possession of the French Government there is no proof that it was sent by the Scots to Louis XIII. On the contrary, the letter bearing the original signatures was that which was delivered by Traquair to the King.¹ This view of the transaction is further supported by the King's speech at the opening of Parliament:² "for
" my part, I think it was never accepted of by him
" [Louis XIII]. Indeed it was a letter to the French
" King, but I know not that ever he had it; for by chance
" I intercepted it, as it was going unto him; and therefore
" I hope you will understand me right in that;" and from a passage in the Large Declaration,³ where the King writes, "But because the world shall see that we
" charge them not but upon very good and sure grounds,
" we have thought fit to set down here their own letter;
" of which we have given our good brother, the French
" King, an account, being confident he will not assist
" any rebels against us;" it is consequently clear that the letter was made known at the French court through the English embassy.

¹ Loudoun's Depositions, 14th April 1640. ² Rushworth, iii, p. 1119.

³ Large Declaration, a draft of which is preserved amongst these papers, p. 609, No. 49.

Much stress was laid upon the superscription "Au Roy," which is asserted¹ to be understood, when used in France, as applicable "only from those subjects to their "natural Prince;" thus implying that the Covenanters by using this phrase had meant to transfer their allegiance to Louis XIII., and had "practised to let in foreign "power into that our kingdom of Scotland."²

This was the gravamen of the charge against the Scots to be preferred in the English parliament, should an appeal to the nation in the present emergency be thought advisable. To solve his doubts, the King applied to Viscount Wentworth, whose experience in parliamentary debate necessarily gave great weight to his judgment, as to whether this great experiment should be tried. This nobleman, it will be remembered, had returned from Ireland late in the preceding autumn to arrange some business relative to his own government of Ireland, and had been received by his sovereign with marked distinction, and raised to the rank of Earl of Strafford (12 Jan. 1640). His presence at Court at once became an object of solicitude, men not knowing on which side his influence

¹ Large Declaration, p. 609, No. 49.

² It is noteworthy that although the above-mentioned letter, which caused so great a ferment in England, was never sent, as Loudoun correctly deposed, another letter of the following year, bearing date 19th February 1640, still preserved at Paris in the *Bibliothèque National* Fr., 15,915, fol. 410, appears to have been forwarded to Louis XIII, possibly unknown to Loudoun, whose signature is absent, asking for the French king's intercession with Charles on the ground of the ancient league, and is signed quite differently from the one which was intercepted by the King. The signers are Argyle, Rothes, Montrose, Lothian, Lindsay, Balmerino, Napier, Murray, Hope, Hepburn, and J. Smith. This is followed (in the MS. at Paris, fol. 411,) by a letter of the same to Richelieu, stating that they have sent William Colvill of Cleishe to tell what their state is, and to ask for the King of France's intercession. For these particulars relative to the Paris MSS., I am indebted to Samuel Rawson Gardiner, Esq.

would be exerted; and it was evidently a surprise when he gave his advice in favour of the immediate calling of a Parliament: "I believe," writes Edward Nicholas to Sir John Pennington, who was then absent in the Downs in command of the Channel fleet, "you will have heard
" before this can come to your hands of his Majesty's
" resolution to call a Parliament about the end of March
" or beginning of April next, whereof his Majesty made a
" public declaration this day se'nnight (Dec. 5) sitting in
" Council, and it is said that it hath been the Lord
" Deputy [Wentworth] who has persuaded the King
" to a Parliament. I pray God it may succeed as well
" for the good of the kingdom as the news of it is accept-
" able to all men in this kingdom. The writs for levying
" ship-money this next year are sent out, and shall pro-
" ceed notwithstanding the assembling of a Parliament,
" which is much marvelled at by many discreet and
" well-affected men."

Whether the project for a Parliament was favoured by Laud the papers in this volume do not assist us in determining; but at page 329¹ is calendared a copy of the advice addressed to James I. by Sir Henry Neville, touching the holding of a Parliament, with marginal notes in the Archbishop's handwriting,—which points to the inference that it was consulted by him as a precedent for the expediency of calling a Parliament this year. After some weeks further consultation with the King, Strafford returned to his government in Ireland, with the superior title of Lord-Lieutenant, in order to meet the Parliament of that kingdom, which had been previously summoned, and to levy men for his intended army for the invasion of the Western Isles of Scotland.

¹ p. 329, No. 113.

But before his departure he had taken pains to see that the King was provided with present means for hastening the military preparations in England, and, in order to set an example to the rest of the courtiers and councillors, had headed a loan with the munificent subscription of 20,000*l.*, equal to about 100,000*l.* of our money; the Lord Keeper, the Lord Privy Seal, and the Earl of Newcastle following with 10,000*l.* apiece, and so divers others, to the value of 300,000*l.* in all.¹

Upon his arrival in Dublin (March 18), Stafford immediately repaired to the Irish Parliament, in which he so well employed his interest that they condescended to levy 8,000 men² for the King's service out of Ireland, and voted a supply of four entire subsidies from the laity of 45,000*l.* each, and six subsidies from the clergy, who already owed three more, "so that their nine subsidies and "our four subsidies," writes Lord Thomas Cromwell,³ "will all be paid in three years if God say Amen."

In the preamble to the Act of Subsidy the Irish representatives took occasion to express the sundry great causes of joy and comfort they had experienced under the wise administration of their Governor. With these high encomiums, and the promise of further assistance in men and money should the King's occasions require them, Stafford again returned to England to assist the King in organising the army and selecting officers,—a service in which he had had much experience. These energetic measures, however, were regarded in a different light in England to what they were in Ireland. "The "raising of troops before a Parliament," writes Sir Richard Cave,⁴ "begets discourse and censures of several

¹ p. 158, No. 64.

² Spalding's History of the Troubles, vol. i. p. 189.

³ p. 608, No. 47.

⁴ p. 321, No. 92.

“ sorts.” But, nevertheless, the military preparations were proceeded with, and the estimates for the army will be found in this volume. There are also papers relating to the pressing and conducting of the soldiers for embarkation to furnish the garrisons on the Borders. Meanwhile, the writs had been issued for the elections in England; and the opening of the Parliament, afterwards known as the Short Parliament, was fixed for the 13th April.

At the news that a Parliament was to be summoned, England was astonished. “We in Devonshire,” writes¹ a correspondent of Lord Cottington, then Chancellor of the Exchequer, “have news of a Parliament, but no man “ believes it. The ship-money we are sure of, for every “ man feels it already; and although the rate of this “ county be high, being 9,000*l.*, yet is there no grudging; “ so, as I think, we are the King’s best subjects.” It would thus appear that the country had almost ceased to hope for a legal reform, though as yet no violent designs had been even contemplated by the mass of the people, whatever ulterior objects some of the Puritanical leaders may have had in view, in their struggle for the overthrow of the Established Church. There was a time, indeed, not very far distant, when the country, under much less provocation, had resorted to arms, and had ventured to oppose the mighty power of the Tudors; but a long period of peace and the pursuits of commerce had somewhat mollified the national character, and the English tamely brooked what the Scots resented as an unwarrantable infringement of their ancient laws and liberties. It was not possible, however, that Scotland should be allowed to have her will, and England be expected to sit still. Some, indeed, thought that the latter country might be

¹ p. 420, No. 15.

kept quiet, and the ecclesiastical policy of Laud enforced by ordinary measures. "The last Lord Keeper, Coventry," writes Dr. Burton,¹ "as soon as he was chosen, took
 " instantly a survey of all the justices in every county,
 " and expunged divers without rendering any cause;
 " amongst whom was Mr. Hayes, although since he has
 " scrambled in again. And so may the present Lord
 " Keeper, Finch, if he please, [expurgate the list of
 " justices,] a thing done out of course by his predeces-
 " sors." Statesmen like Strafford and Laud, however, could not help perceiving that the conflict which had begun in Scotland could not be confined to that country² unless speedily suppressed with an iron hand. Hall, Bishop of Exeter, writing to Archbishop Laud on the 8th October (1639), says, "We begin already to find the
 " effects of the Scottish schism. I am grieved to say
 " that one of my clergy, Benjamin Cox, of Sandford, in
 " my diocese, has lately in his chapel rather than church
 " vented doctrine foully prejudicial to the divine insti-
 " tution of Episcopal government. . . I wait your
 " pleasure by the hands of my chancellor, to whom I
 " have sent the sermon originally written. I took it
 " the more heinous from him, for that the man had been
 " all this while conformable, and was one of the first
 " of my diocese who removed his table voluntarily to an
 " altarly situation; *quo percitus æstro* he hath done
 " this, I know not. I doubt more will follow this peevish
 " humour." In Archbishop Laud's reply³ to Hall of the 14th November, giving him some animadversions on his intended book in defence of Episcopacy, the Archbishop writes, "The adversaries of Episcopacy are not only the
 " furious Arian heretics, out of which are now raised

¹ p. 387, No. 137.

² p. 20, No. 50.

³ p. 87, No. 38.

“ Prynne, Bastwick, and our Scottish masters, but some also
“ of a milder and subtiler alloy, both in the Genevan
“ and Roman factions. And it will become the Church
“ of England so to vindicate it against the furious Puri-
“ tans as that we lay it not open to be wounded by
“ either of the other two more cunning and more learned
“ adversaries.” Thus encouraged by his Metropolitan,¹
Hall, who had already won considerable renown in pole-
mical discussions by his Satires, published in 1597-9,
under the title “*Virgidemiarum*,” proceeded with his
labours in defence of the Anglican Church, and proved to
the satisfaction of many the apostolical origin of Episco-
pacy. His opponents, however, were not so easily to be
overwhelmed with scholastic lore ; and no sooner was the
war note sounded than five Puritan divines, putting their
heads together, answered by a “*Counterblast*,” (March
1641,) bearing the initials of Stephen Marshal, Edward
Calamy, Thomas Young (Milton’s first tutor), Matthew
Newcomen, and William Spurstow ;—the first letters of
whose names clubbed together formed the not very eupho-
nious word *Smectymnuus*. The wordy war having fairly
commenced, Archbishop Usher, whose erudition was
of the highest order, came forward to Hall’s rescue,
and undertook the refutation of *Smectymnuus*. Thus
reinforced, the champions of Episcopacy carried on the
literary battle, which promised to incline to the side of
the Prelates, who mustered amongst their number some
of the best scholars of that age. The young and fervid
Milton, then only just coming into notice as a poet, seeing
“ the good cause ” likely to be lost for want of judicious
defenders, “ consented,” as he says, “ to lay aside his
“ singing-robes ” for a more convenient season, and “ to

¹ p. 30, No. 2.

“ leave a calm and pleasing solitariness, fed with cheerful and confident thoughts,” in order “ to embark in a troubled sea of noises and hoarse disputes.” He imagined that a year or two of such work, to which he felt he was lending “ only his left hand,” would be all that would be required of him. But, once engaged in the controversies of the time, he was led on and on; and, as Mr. Masson observes in his admirable short sketch of Milton’s life, “ for the space of full twenty years we see him only as a polemical prose writer, giving and taking blows in the cause of the Revolution, and producing nothing at all in verse except an occasional Latin scrap or epigram, and a few English sonnets suggested by passing occurrences.” On hearing that Smectymnus had been replied to, he felt his spirit rise, and, without waiting for an invitation to enter the lists, rushed into the fray, and, grappling with Archbishop Usher and his associates, kept them fully employed by a succession of pamphlets, each one more trenchant than that which had preceded it, and in which he aimed at nothing less than the abolition of sacerdotalism and prelacy in all its forms and essence. The battle of the pen was thus carried on for several years, either party alternately claiming the advantage. But the stars in their courses fought against the Bishops, whose voices were drowned, before they had had their last say, by the sound of the drum which announced the commencement of the Civil War. It is only with the earliest portion of this literary tournament that the papers in the present volume have any connection, for it was Hall’s book, above alluded to by Laud, which commenced the series of pamphlets. Milton’s name does not even occur in this volume, but at page 389 is calendared a petition of his intimate friend and schoolmaster, Dr. Alexander Gill, who, on the death of his

father in 1635, had been preferred to the headmastership of St. Paul's school. It will be recollected that at the time when Milton, being about 14 years of age, was sent by his father to St. Paul's school, situated only a few minutes' walk from the scrivener's house in Bread Street, the headmastership was filled by Alexander Gill, a Lincolnshire man, whose reputation as a teacher was then great, and who had under him, as his usher, his son the Rev. Alexander Gill, a young man of great promise.

During the father's lifetime everything seems to have gone on in the usual routine at St. Paul's school, but when Dr. Gill had succeeded to the headmastership a dispute arose between him and the feoffees as to the employment of the school's endowments. In the before-mentioned petition the Doctor tells us "that he had been
" more than four years diligently employed in educating
" the scholars in piety, conformity, good manners, and
" good literature, to the approval of the Mercers' Society
" and other learned men intrusted by them to enquire and
" judge of his endeavours," when, finding that a great part of the revenues of the school were not employed according to the founder's intention, "he ventured to
" express a desire that there might be fair play above
" board, and that the school might know its own and
" have its own." The feoffees, taking umbrage at this interference on the part of the headmaster, were not long without an excuse to deprive him of his post, "upon the
" unjust complaint of a lying, thieving boy, your poor
" subject's scholar and servant;" "and, contrary to the
" founder's statute, at an unlawful time, in an unlawful
" place, without any just cause proved, have warned your
" poor subject to depart the school, he having no other
" livelihood in the world."

While Milton's old schoolmaster was thus getting himself into trouble by running tilt against vested interests, the Poet himself, having returned from his continental tour, took up his pen, as before stated, in defence of the popular cause, and warmly espoused the defence of the Reformed Religion, which even many well-wishers to the Church of England then thought to be endangered by the Laudian innovations. It will be found that the papers calendared in this volume give not the slightest colour to the Puritan belief that Laud was intentionally working in favour of Rome; but, on the other hand, it is clearly established by them that Laud's authority was exerted to rehabilitate the sacerdotal character of the Church of England;¹ which gave umbrage to that numerous party of English Protestants who rejected the doctrine of a priesthood and dreaded it as leading to the restoration of the supremacy of the Church of Rome, a contingency they regarded as the greatest of all possible calamities. To us who look back upon the past, aided by the lights of history, such a reaction may appear improbable; but to those who had witnessed the expulsion of the Protestants from France and Flanders, and the establishment of a rigid imperial and ecclesiastical despotism throughout Germany, it was by no means an imaginary danger. Nor was it forgotten, at least by the Puritans, who regarded the drama as the school of Satan, that Laud, when Bishop of London, had ignored the request of the churchwardens of Blackfriars to remove a theatre from their parish.

Amid the numerous matters occupying the attention of the two Parliaments of 1640 that of Church reform was paramount. The root of the evil, it was felt by the Puritanical party in the Church, was in the prelatical constitution of the Church itself; and already there were

¹ p. 582.

those who publicly advocated nothing less than an abolition of bishops, deans, and chapters, and all Episcopal forms, and a reconstruction of the Church of England after the Presbyterian model.

It would appear from the letter of Dr. Edward Burton¹ to Dr. Bray, one of Laud's chaplains, that in some parts of England the justices, despairing of obtaining redress in the Ecclesiastical Courts, had attempted to settle Church matters at the sessions. "When I first attended his Grace," writes Dr. Burton,¹ "I acquainted him that the Puritan faction was growing strong amongst the justices upon our Bench for the eastern part of this county [of Sussex], steered rather by humour and faction than justice; so strong, indeed, that such as are moderately disposed were not able to withstand it; that Messrs. Stapley, Rivers, Baker, and Hayes were ringleaders; that it was grown to that height that Stapley at Michaelmas sessions last (our churches being well and peaceably composed before) possessed the people in his charge that the altering of the Communion table altarwise was an innovation detracting from God's glory, and that some prelates in this kingdom did not approve of it." The words used on this occasion are then stated, and particulars as to what took place. "Mr. White, a justice of the peace, asking Mr. Stapley, after the charge was done, what he meant to meddle with those businesses there, which the Bench had nothing to do withall, received answer that he was so pressed by other men to do it that he could not deny them. As for their swaying of temporal affairs in open sessions their own way, with difference and distinction between other men and those of their own character,

¹ p. 386, No. 137.

“ it were endless to mention particulars; we are most
 “ sensible of it that see it and feel the burden.”

Indeed, nothing is more clearly established by these papers than the growing influence exercised by Puritanism on the administration of public affairs. Thus, while we find the rector of Newcastle writing¹ to the Archbishop of York (January 27), “ there is good hope now that the
 “ neck of the Puritanical faction is broken, if the Bishop
 “ of Durham will but have a vigilant eye and keep a
 “ strict hand over them,” the Bishop of Bristol was obliged to be guided in his reformation of the cathedral abuses of that city by a wholesome dread of Puritanical criticism. Thus he writes to Archbishop Laud:² “ I told
 “ Mr. Dean that it stood not with your Grace’s honour,
 “ nor yet with my poor reputation, to take from Dean
 “ Chetwind 200*l.*, and then to put it into his pocket, for
 “ what would a thousand Puritans say ?” And on the same day Neale, Archbishop of York, writes to Secretary Windebank³ relative to the Puritanical lecturer at Newcastle, Dr. Jenison: “ I am in a strait, not knowing
 “ what to do with him. To let him return to Newcastle
 “ I dare not; to restrain him from his house, wife, and
 “ children, he thinks a very hard case, and indeed so it is.
 “ If I knew how his Majesty accepted of that answer
 “ I should the better resolve what to do with him.
 “ He still professes conformity which I dare not trust
 “ him in.”

Again, on the 5th February, we find Sir John Marlay writing⁴ to Secretary Windebank, “ I am persuaded
 “ if some of the chief of that faction in Northumberland
 “ and Newcastle, who are the patrons of the inferior

¹ p. 385, No. 136.

² p. 11, No. 24.

³ p. 11, No. 24.

⁴ p. 429, No. 35.

“ sort, were strictly examined and dealt with, it will
“ be the ready means to root out that mystery of iniquity
“ from the Northern parts. If his Majesty please to
“ command me any further service I shall faithfully
“ perform it, but I am sure if anything is to be done
“ in Northumberland there will be need of a strict
“ command to the justices there for assistance.”

Although persecuted themselves for their nonconformity to the Established Church, the Puritans showed no sympathy for their fellow-sufferers the Papists, who experienced but sparse justice at the hands of some of the Puritanical sheriffs, who were inclined to enforce with too much zeal the sufficiently harsh provisions of the penal statutes. On the 5th of October, Secretary Windbank writes to the sheriff of Oxfordshire :—

“ There lately issued forth to yourself and others a commission for finding of the lands, goods, and chattels of certain recusants, which proceeding being only intended for enabling those who are already convicted and mentioned in a schedule annexed to the commission to make composition for the several sums due to his Majesty upon the statutes for their recusancy, according to his Majesty's instructions in that behalf, which otherwise they could not do. Forasmuch as the commission of enquiry has been by divers misunderstood as an unusual violent prosecution against recusants, which is not his Majesty's intention, these are to signify that his Majesty's intention is that no seizure be made of any of the lands, goods, or chattels of those who shall, at the execution of the aforesaid commission, enter their names that they will, within three months after, prosecute their composition in London with his Majesty's Commissioners for Recusancy, and that you be careful, in the execution of the commission, that all further or unusual prosecution against recusants be forborne by those who shall be therein employed. If any seizures be already made by you or your deputies contrary to these his Majesty's gracious intentions, the same shall be forthwith restored, such being his Majesty's clemency towards them at this time at the instance of her Majesty.”

The exultation with which the Puritanical party looked forward to the assembling of Parliament is shown by several passages in these papers. Thus we find, under date February 6th, Simon Pettyward expressing his mind¹:—"We hope the Lord has a speedy work to work for his people, and that the very old men shall see his deliverance."

In advocating the calling of a Parliament, it is probable that Strafford was not fully aware of the temper of the English people, which had considerably altered during his long absence in the sister island; otherwise he could never have anticipated that they would consent to the voting of supplies without first obtaining a redress of grievances. The nature and extent of these grievances will be best judged of from the numerous papers relative to monopolies, patents, impost on wines, ship-money, forced loans, resumption of forestal rights, ecclesiastical innovations, invasion of private property by saltpetremen, royal commissions for compounding with offenders against the penal statutes; and last, but not least, the arbitrary decisions of the Star Chamber and High Commission, by which the common law was set at defiance. Even if Strafford could have partially forgotten the events of the last Parliament, they were yet vivid in the recollection of other men, notwithstanding the lapse of 11 years since 1629,—an interval longer than had ever before occurred in the history of England between one Parliament and the next. Only once had there been an intermission of Parliaments for half that space of time. In the memorable session of 1629 the same topics of discussion were foremost as those which were expected to be propounded by the Commons in

¹ p. 432, No. 48.

• the present Parliament, and many thoughtful men were naturally dubious as to the result.¹ Besides the growing conviction of the illegality of ship-money, notwithstanding the contrary decision of the judges,² the mode of its assessment had become a fertile source of contention and dissatisfaction; an example of which is supplied by the letter of the sheriff of Monmouth to the Council of the 9th February.³ “The laity conceive,” writes the sheriff, “that the only just way of rating the clergy
“ is by the pound yearly; for if the tithes and church
“ profits should pay but the tenth part of the tax
“ of the parish, then a parsonage of 100*l.* or 120*l.* per
“ annum should pay no more than a farm of 50*l.* per
“ annum, for the parson receives the tenths of all the
“ profits which the husbandman can raise out of his
“ farm by his stock with his own and his servants’ industry, which must be more than double the rent of
“ his farm, or else he will not be able to live upon it;
“ so that where all the land in the parish is not worth
“ above 400*l.* or 500*l.* per annum, the parsonage is most
“ commonly worth 120*l.* per annum, or more. And
“ whereas I received your letter of the 12th January
“ requiring me to pay in the money by the 20th of February, together with an account of my proceedings,
“ I have to certify you that although I used my best
“ endeavours to perform your directions, yet there were
“ so many complaints made to me of pressures and wrong
“ dealing in the particular assessments by the constables
“ that I cannot possibly accomplish your commands so
“ speedily as is expected, unless I were to give the
“ county just cause to exclaim upon me.”

¹ p. 477, No. 3. ² p. 413, No. 82. ³ p. 442, No. 70.

Five days later the sheriff of Northumberland writes¹:—
“ Upon communication with the authorities of the towns
“ of Newcastle, Berwick, and Morpeth, it was arranged
“ that those towns should contribute respectively 700*l.*,
“ 20*l.*, and 20*l.* of the 2,100*l.* charge of ship-money, and
“ the residue be assessed upon the county as suggested
“ by the Council. The authorities of Newcastle, how-
“ ever, refused to be assessed, and still persist in their
“ difference of opinion from us, pretending the tax to
“ be an unjust pressure on them; we, on the contrary,
“ maintaining the same to be just and equal. In order
“ that this should be as little hindrance to the service
“ as possible, I have sent out warrants to all parts of
“ this county for levying the residue of that sum with
“ all possible expedition.” Numerous other examples
might be quoted from these papers showing the deep
dissatisfaction of the people at the persistence of the
Government in levying money and soldiers by what
they considered questionable authority, when the meet-
ing of Parliament was so near at hand. “Truly, Sir,”
writes the sheriff of Berkshire to Nicholas,² “to deal
“ plainly with you, I conceive the main ground of the
“ slackness in payment of ship-money at this present
“ more than heretofore, is the expectation they have of
“ the Parliament, in which it will be represented to the
“ King as a grievance, whereby they hope to obtain a
“ remission thereof.”

By a strange fatuity, Charles and his advisers failed to
see that their obstinacy in persisting in these arbitrary
ways was incompatible with a successful appeal to the
nation for its sympathy and support in the present crisis;

¹ p. 460, No. 36.

² p. 589, No. 8.

and that the coming Parliament, however patriotic, could not be expected to sanction what its predecessors had condemned. It was struggling against the inevitable when Charles in the last Parliament of 1629 sought to ward off an open breach with the opposition leaders. Even during those days of adjournment which preceded the closing catastrophe, when the Speaker was forcibly held down in his chair, we are told by Contarini that the King did not despair of finally devising some means of conciliation. In like manner it was, we may safely believe, with a sincere hope of accommodation that Charles prepared to meet the Short Parliament, the elections for which form one of the leading political topics in the present volume.

Writing on the 14th February, Secretary Vane says,¹ "Although it may seem there are many reasons which
" might threaten some rubs and difficulties in the desired
" success of his Majesty's gracious resolution and intention of meeting with his subjects in Parliament,
" fixed for the 13th April next, yet there is great hope
" that by his wisdom all shall be overcome and carried,
" so that so happy a meeting may be followed by a like
" conclusion, to the contentment and satisfaction both of
" the King and his subjects."

The extraordinary exertions made by the Government to secure a majority in the Lower House are evidenced by the papers in this volume. "There is very much
" labouring," writes Edward Nicholas,² "by divers to be
" Parliament men, but I think they will be happiest who
" are not of the House." In Essex, where the contest waxed very warm, we read that³ "Before the election
" the Earl of Warwick made good use of his Lord Lieu-

¹ p. 459, No. 34.

² p. 158, No. 64.

³ p. 608, No. 48.

“ tenancy in sending letters out to the captains of the
“ train-bands, who, having power to charge the people
“ with arms, they durst not offend, which brought many
“ to his side.” And in the same county we are told¹
that “those ministers who voted for the Earl of Warwick,
“ as Mr. Marshall and others, preached often out of their
“ own parishes before the election.” As a remedy for
these evils it is suggested by a favourer of good
government, Mr. Nevill of Cressing Temple, that the
qualification should be raised from 40s. to 20l., “the
“ present value of the sum fixed when that statute was
“ made.” “If this alteration were made it would be a
“ great quiet to the State, for then gentlemen would be
“ looked up to, and it would save the ministers a great
“ deal of pains in preaching away from their own
“ churches; whereas now a man having but 40s. a year
“ freehold has as great a voice in the election as any, and
“ yet this man is never a subsidy-man, and therefore no
“ way concerned in the result of the election for his own
“ particular.” In a few instances open bribery would
appear to have been resorted to by Government officials
to secure their own return; for we read in the decla-
ration of the freemen of Hastings, calendared at page 565,²
“ Mr. White, in the behalf of Robert Read, made this
“ proffer, that if the mayor, jurats, and freemen would
“ be pleased to make choice of him for one of their bur-
“ gesses, he would do them the best service he could,
“ and moreover, would give to the poor of the town of
“ Hastings 20l. down, and 10l. a year during his life,
“ besides two barrels of powder yearly for exercising the
“ youths. A friend or two more stood up, and seconded
“ this motion; when the Mayor, perceiving the freemen

¹ p. 609, No. 48.

² p. 556, No. 19.

“not inclined to embrace it, adjourned the assembly to
“another day.” Eventually Read was returned,¹ the
freemen for the most part having withdrawn from the
[town] hall.

In another instance of a Government official being
put up for a borough, that of Edward Nicholas,² the
influence of the patron, backed by that of the mayor
and jurats, was ineffectual to secure his return for Sand-
wich,—the imputation of Popery being a barrier to all
chance of admission into the popular assembly. A fact
not without interest as bearing upon his subsequent
career. In general, however, the free choice of the
people was not systematically interfered with, and the
elections passed off in comparative quiet. But the full
significance of the contest was not lost sight of for
an instant, and all political parties exerted themselves
to the uttermost. Only in a few instances popular
tumults took place. “In Northamptonshire³ some tur-
“bulent spirits by undue practices caused great clamours
“amongst the multitude to be raised against the autho-
“rity of the lieutenancy.” And in Cheshire, party and
personal animosities ran so high that Sir Thos. Smith’s
correspondent writes,⁴ “I am sorry in my heart to see the
“preparations of discord, and I sit down in silence to
“see what God will do in the ambition of these men, who
“all joined for their own profit where there was a bare
“pretence of a public good, and now rend the bowels of
“it [their country] to advance their own interests and
“popularity.” In a letter of Dr. Burton to one of Arch-
bishop Laud’s chaplains we read,⁵ “The town of Lewes
“as well as the sessions house is tainted with the Puritan

¹ p. 565, No. 45.

² p. 561, No. 33.

³ p. 587, No. 4.

⁴ p. 591, No. 14.

⁵ p. 387, No. 137.

“ faction; for at this present, notwithstanding the Earl
 “ of Dorset’s and Lord Goring’s letters and intimations
 “ for their creatures to be Parliament men, yet Mr. Stap-
 “ ley and Mr. Rivers have a strong party in the town,
 “ and it is much feared they will be chosen burgesses for
 “ the town of Lewes. God forbid the greater part of a
 “ Parliament should be of their stamp; if so, Lord have
 “ mercy upon our Church. God who knows my heart,
 “ knows that it is not the men I except against, but
 “ their condition: and it was the peace of the Church
 “ and Commonwealth that moved me to move his Grace.
 “ To be brought forward as an informer against them
 “ will cause an implacable cloud of hatred to hang over
 “ me, not to be undergone; yet what I have either spoken
 “ or written I will make good.”

In Gloucestershire¹ the contest assumed an exceptional phase, a novel manœuvre being resorted to, to bring in the popular candidate.

“ On Wednesday morning, when it was generally expected that
 the election should be a matter of ceremony and formality, and
 be both speedily and unanimously despatched, suddenly there
 was set up, and forcedly, as he pretends, Mr. Stephens, of
 Eastington, for opposing of the ship-money, in which cause he
 had suffered, having been put out of the commission of the peace,
 and with an opinion of much zeal towards the zealous. Sir Robert
 Tracy’s side proceed *bonâ fide* according to the tenour of their
 former agreement, and in the second place nominate Sir Robert
 Cooke, who had either charmed his party so coldly as that he had
 left them indifferent to any but himself, or else, which is vilely
 suspected, had given some underhand intimations for his partisans
 otherwise to dispose of themselves; whether this way or that way
 I cannot resolve; but this I am sure of, that I myself both saw and
 heard some of his tenants busily stickling for Stephens, a shrewd
 presumption that their leader has been either languid or double in
 his dealing. *Hem fidem Puritanicam!* By this means Sir Robert

¹ p. 581, No. 79.

Tracy brought at the first day's polling 800 voices to Sir Robert Cooke, and received not 20 back. These proceedings exasperate Mr. Dutton and his accomplices, while Tracy's side challenge Cooke of [political] infidelity, Dutton sparing not to tell him openly that for his sake he would never more trust any man that wore his hair shorter than his ears. Cooke, on the other side, professes his sincerity, and that he had dealt with them as far as they would be dealt withal."

A favourable example of a popular electioneering address of that time is preserved in the letter of Mr. Harrington to the borough of Stamford,¹ who, though not returned, must have represented the sentiments of many influential politicians. In concluding his address he writes, "Let it be your care then that it [the Parliament] may prove a Bethel, a house of God,—not a Babel, a tower of confusion. This, like the first temple, must be built with stones ready squared; no hewing, no putting to school; their 30 winters are scarce sufficient to warrant them from mouldering to dust under the pressure of that employment. To you is committed both the sword and the balance to divide and to distinguish. These corner-stones must neither recline, decline, nor incline, but stand upright and perpendicular to heaven, as being immovably fixed upon the basis and foundation of naked truth. If by these honest remembrances I have excluded myself, I am well contented, with that reverend bishop, rather to want a place than that the place should want a man."

We may well believe that some uneasiness was felt at the large proportion of untried men who were likely to be returned to this Parliament, for many of those who had sat in former Parliaments were now dead or im-

¹ p. 491, No. 40.

poverished, and it was therefore by no means certain that the parliamentary opposition would be managed with the same adroitness. The advent of Strafford's reappearance on the political scene was watched by the country gentlemen with much jealousy. His government of Ireland, so far as its material interests were concerned, had been pre-eminently successful.¹ Wealth took the place of poverty, trade and commerce sprang up where none had existed before, and peace and security reigned throughout the English pale; but these material advantages had not been secured without the overriding of private rights, and the almost entire suppression of political freedom.² It had long been his most ardent anxiety to be employed near his master,—the only post in which his ambition could hope for the power and glory he aimed at. But he soon found himself not only opposed by the champions of political liberty, but by no inconsiderable faction of the courtiers. He could not even prevent one of his personal enemies, Sir Harry Vane, the elder, from being, through the Queen's influence,³ advanced to the important post of Secretary of State, vacated by the retirement of the aged Sir John Coke, who had left the Court in disgrace.⁴ This vainglorious Secretary made a show of thwarting the influence of Strafford, and set himself up as his rival.⁵ “The Court,” writes Sir Richard Cave, “as it is generally
“ taken notice of, is divided into a double faction. The
“ Lieutenant of Ireland goes on still in a close high way;
“ while Sir H. Vane marches after him in a more open
“ posture. Some wise men marvel why his Lordship
“ would so palpably affront (that word is used) Sir H.
“ Vane to take the barony of Raby over his head, who

¹ p. 608, No. 47.

² Gardiner, *The Puritan Revolution*, p. 101.

³ p. 460, No. 35.

⁴ p. 430, No. 36, p. 435, No. 54.

⁵ p. 436, No. 54.

“ was capable of the honour, and, as ’tis said, pretends
 “ unto it himself; others give the Lord Lieutenant reason,
 “ as being heir-general to the honour by descent; but
 “ most certain it is, that fiery feud there is between
 “ them.”

Other causes of confusion were not wanting, owing chiefly to the jealousies which followed upon the new military appointments. The Earls of Arundel, Essex, and Holland, who had filled high commands in the late army, felt themselves slighted at being passed over, or offered only inferior posts; so that Sir Richard Cave, in communicating the news of these preferments to Sir Thos. Roe, writes,¹ “ thus, you see, we are ready to scratch each
 “ others faces.” It is scarcely necessary to mention that Sir Thos. Roe was a great confidant of Laud and of Elizabeth Queen of Bohemia, familiarly termed the Queen of Hearts, who not unfrequently addresses him in her letters as “ Honest Tom.” Their correspondence is calendared in the present volume, and relates chiefly to the affairs of the English royal family and the fortunes of the young Prince Palatine, who, in his endeavours to recover his ancient patrimony, had the misfortune to be made prisoner, as well as his brother Prince Rupert, and was at the present time confined in the Bois de Vincennes,² where, as we are informed by Sir Richard Cave,²
 “ he had not liberty to write or receive a word from
 “ anybody; nor has he had one letter of mine since his
 “ imprisonment, nor the King’s and Queen’s, but upon
 “ hateful conditions; nor may he talk to any man, or any
 “ to him, except in French, and that aloud before com-
 “ pany. They will, with their devilish usage, make him
 “ forget his English and whispering.” From this thralldom

¹ p. 321, No. 92.

² p. 571, No. 65.

³ p. 320, No. 92.

he was, two months later (March 23), partially released, and his expenses were promised to be defrayed by the French King, "who," the Queen of Bohemia writes,¹ "has sent me a very fine compliment, that I shall now see what he will do for me. I believe all I see, and no more."

Besides the difficulty of procuring money for the military preparations, the impossibility of securing the services of a competent number of experienced officers to take the command of the troops and to defend the fortresses was a constant source of uneasiness, and ultimately occasioned the reduction in the number of regiments composing the army. Taught by the experience of the late campaign, greater strictness was observed in the selection of officers, and preparations "were made in a far better manner than the last year."² The Earl of Arundel, Earl Marshal of England, who had commanded in the last campaign, was unceremoniously informed that "his Majesty, observing of late that you, by reason of your often indispositions, have become less able than in former times to undergo so great and painful a charge, has thereupon made choice of the Earl of Northumberland to be general of his army to be set out this year. And further, I am commanded to let you know that, for the better ordering of these great affairs, his Majesty has appointed a Council of War, of which his Majesty has not yet named you, not knowing whether you will be able to give that constant and frequent attendance which so important a business requires. Besides that, his Majesty, having, for the reason aforesaid, named another general, cannot tell whether you will be contented to sit there or no." The two high commands

¹ p. 571, No. 65.

² p. 430, No. 36.

of Lord High Admiral and Captain General of the land forces were thus combined in the one individual whose ability and patriotism had been tested in managing the recent complication with the Dutch and French fleets, which in the past autumn had dominated the narrow seas, and engaged in a murderous fight with the Spanish fleet, even within sight of the English shores.¹ The letters narrating the full particulars of this fight, one of the most daring in the annals of naval warfare, will be found in the earlier part of this volume. The command now entrusted to the Lord General was of a more arduous and desperate character than even that of defending the English seas against the unwelcome presence of three hostile navies; for though the kingdom against which these vast preparations were to be hurled was but an insignificant enemy in comparison, and one which in times past had frequently been vanquished though never crushed, and the power of England to subdue which was not many years after proved, yet the heart of the English nation was not in this war. "For my part," writes Sir Richard Cave,² "I push not very hard after any employment in these occasions. I shall be glad to live to do my master service in the wars out of Great Britain, but I care not much for fighting in this island." It is probable that the Earl of Northumberland himself did not over much relish his new appointment to the chief command; for we find his private secretary, Thos. Smith, writing to Admiral Pennington³ on the 5th March, "Those captains who go with the seven ships are as here named; whither they go, we know not, but think for Scotland, against the people of which country we make as much preparation and

¹ p. 430, No. 36.² p. 321, No. 92.³ p. 521, No. 30.

“ as speedy as if we were to eat them up, but I fear the
 “ worst.” It is, at all events, significant that before the
 time of conflict had arrived, the Earl found himself, by
 reason of his failing health, obliged to relinquish the
 command into the hands of his Lieutenant-General,
 Strafford, who continued leader of the army until the
 fight at Newburn. Such at least was the ostensible
 cause of the Earl of Northumberland’s sudden retirement;
 but a different version was accepted beyond the Border.
 Spalding, in his *History of the Troubles*,¹ narrates that
 when copies of the patents appointing the Earl Captain-
 General over his Majesty’s forces by land and sea were
 brought to Aberdeen, “ some judged them false and
 “ fabulous; others thought them over true; ilk man had
 “ his own opinion, and many stood in great fear. How-
 “ soever the matter was, this Earle refused to accept
 “ thir offices, and in the King’s own presence and face
 “ of Parliament laid down his batton of his office of
 “ Admiraltie, whereat the King was highly offended;
 “ but this Earle was otherwayes sett, being for the Par-
 “ liament all the way, as may hereafter be sein; and he
 “ no sooner quyted the Admiraltie, but the Earle of
 “ Warwick, at his own hand, medled with the same
 “ office, by consent of the King as hereafter appears:
 “ And the Deputy of Ireland accepted to be Captain-
 “ General of his Majesty’s army by land.”

It is possible that when Strafford took upon himself
 the arduous task of conducting the army into Scotland
 he was not fully aware of the nature of the struggle he
 had entered upon, or the character of the enemy he was
 to meet. “ It is reported,” writes William Roberts,
 secretary to Lord Ettrick, on the 17th March 1640, “ that

¹ Vol. i., p. 189.

“ Lesley made a speech in this present meeting [at Edin-
“ burgh], which has much encouraged the people, so
“ that they resolve to fight with his Majesty’s army,
“ though ten to one. It is supposed that the Lord
“ Deputy of Ireland is to invade the North of Scotland
“ with an army from Ireland; and it is said that if he
“ does so the Earl of Argyle will, from a river in the
“ west, transport an army to Ireland, and hopes to make
“ a strong party of malcontents there to join with him.
“ The Earl has prepared boats and other vessels in a river
“ where his Majesty can send no ships to prevent them.
“ They say their armies will be all volunteers and very
“ willing men, and the King’s armies prest men, there-
“ fore they care not how great the King’s armies are.
“ They report that they have as much ordnance and
“ ammunition as they desire;—besides many other great
“ boasts which they make daily.” To assist the Lord
General in his preparations, a Council of War had been
appointed by patent in December 1639, chiefly composed
of members of the Privy Council, of which it virtually
formed a committee. A list of the members, set down in
the King’s own hand, will be found at page 188;¹ any
five of their number to form a quorum,¹ and to have
placed at their disposal a privy seal² for 300,000*l*. The
notes of its proceedings, jotted down by the indefatigable
Edward Nicholas, who acted as its secretary, are calen-
dared in the present volume under the days when it sat
for business. The garrisoning of the Border fortresses
was one of the first cares of the Council of War, and
extraordinary exertions were made to obtain the services
of experienced soldiers for this purpose. Sir Nicholas
Byron, a member of that Council, was dispatched into the

¹ p. 188, No. 47.

² p. 189.

Low Countries to bring thence 100 expert sergeants and corporals, in place of 200 volunteers to be dispatched thence.¹ The command of Berwick was entrusted to Sir John Conyers,² who had been induced by the promise of permanent employment in the King's service to give up the command of his company in the service of the States of Holland.³

The governorship of Carlisle with its citadel and garrison was committed to the charge of Sir Nicholas Byron, a member of the Council of War, while the defence of Edinburgh Castle was entrusted to General Riven, as he was popularly called, but whose real title was Patrick Ruthven, Earl of Ettrick. This nobleman's correspondence with the King and Secretary Windebank relative to the provisioning of the garrison,⁴ and the steps taken in order to introduce secretly a number of English soldiers into the fortress,⁵ as the loyalty of the Scotch garrison was not to be trusted,⁶ will be found towards the close of the present volume, and furnishes some interesting particulars of the progress of events in Scotland, where General Leslie went about attended in the streets by 30 or 40 officers.⁷ "Order has been given," writes Sir Michael Ernle from Berwick on the 22nd January, "to the towns
" of Kelsoe and Dunse, that they should be ready for the
" quartering of 8,000 or 10,000 men, but no preparation
" made;—which, doubtless, therefore, is nothing but mere
" brag. I am now absolutely of opinion that the best
" way to tame them is to bid them do their utter-
" most, for I doubt not but they will shortly see their

¹ p. 431, No. 43.

² p. 313, No. 66.

³ p. 327, No. 110.

⁴ pp. 359–361 *et seq.*

⁵ p. 378, No. 116.

⁶ p. 595, No. 27.

⁷ p. 362, No. 74.

“ error, though at this time they seem to be more furious
“ than ever they have been.”

The sudden falling down of the outer walls of Edinburgh Castle on two sides gave great anxiety to the Governor, and was likened by the Covenanters to the fall of the walls of Jericho. The demand for materials to repair the dilapidations brought matters to a crisis, as the burghers were unwilling to furnish the necessary timber and other materials; which being communicated by the Governor to the King, he replied on the 30th March,¹—

“ In all which, though they heap more guiltiness upon themselves, yet it is a great contentment to us to find you so resolute to reduce them to obedience by force, according to our letters of the 19th, which we do again hereby require you to pursue punctually and with expedition, judging that by this means you will gain many advantages, and not only free our castle of such a bridle, but in consequence of that, in procuring materials for the works and all necessary supplies for yourself and the garrison, preserve our honour and interests, and rally these rebellious people to that duty which they owe us. This, we acknowledge, will be a work of some difficulty, considering, as you observe, how much the place is weakened by the ruin of the walls, and what just cause of distrust you have of the Scotchmen there. But your glory will be the greater in venturing rather to preserve it gallantly than in lying still, and suffering the yoke to be put upon you quietly and without opposition by a company of seditious burghers. You are therefore to go on cheerfully, and to be confident you shall have supplies with all the speed that may be.”

In these straits, the Governor addressed a very thoughtful letter to the King, in which² he writes, “ The
“ Covenanters much boast that their cause has many
“ wellwishers near your Majesty, but I hope they will
“ deceive themselves in such vain hopes, though I cannot
“ assure you of any faithful servants you have here.”

¹ p. 594, No. 27.

² p. 373, No. 103.

Amongst the notices of Court news are some interesting particulars of the Royal family. Thus, Robert Read, writing to young Thos. Windebank, says,¹ “I was left at Court this evening to get some things signed by the King, who was so long at cards that I came almost too late home to present my service to you.” Again, under date 14th February (1640), Secretary Vane informs Sir Thos. Roe², that “their Majesties, with their royal children, are in perfect health, and for their recreation intend to dance again their mask this Shrovetide; the joy of Her Majesty being enceinte again, advancing rather than hindering that pastime.”

There are, besides the subjects above treated of, many others which receive elucidation from these papers. As an example, may be mentioned the supply of London with pure water,—a subject which had already become of such grave importance that the authority of the Council was invoked on several occasions. Complaint having been³ made by the warder of the Fleet Prison that whereas he paid 5*l.* fine, besides 5*l.* yearly rent, for having water brought to the prison by pipe from Sir Hugh Middleton’s river, it is now threatened by Sir William Middleton’s agents or officers to be cut off unless he will pay a greater fine and increased rent, the Lords in the exercise of their discretion ordered “that Sir William Middleton, or any others interested in the said waterwork, shall forbear as well to cut off the pipe as to raise the rent and fine, which if they shall refuse to do, then they are required to attend the Council Board.” The greater part of London, however, was still supplied from the springs in the immediate vicinity of the metropolis, and thus we find⁴ the poor water-tankard bearers complaining “that

¹ p. 474, No. 80.

² p. 459, No. 34.

³ p. 407, No. 51.

⁴ p. 404, No. 41.

“ the water which used to feed the conduits of the City
“ is now much taken away by many private branches and
“ pipes laid into private houses, which are often suffered
“ to run to waste, to the general grievance, many being
“ thereby forced to dress their meat with other water not
“ so pure or wholesome, and your petitioners much pre-
“ judiced and hindered from getting their livelihood.”

The Council upon this petition address their letters to the Lord Mayor and Aldermen, requiring them “ to cause a
“ particular view to be taken what number of pipes are
“ laid from each conduit, and into what houses, by leave
“ or otherwise, and whether conveyed by quills or pipes.” The report of the civic authorities will be found at page 596, No. 30. A return was likewise ordered of all butchers within the City selling meat in Lent, and by whose authority they were licensed. Other papers, which can be readily turned to by reference to the Index, will be found to illustrate biography, law, topography, and literature.

In the Appendix to the Fourth Report of the Historical MSS. Commission, a Calendar will be found of the papers belonging to the House of Lords for the reign of Charles I. to the end of the year 1641. These papers form a valuable supplement to the Domestic Series of State Papers calendared in this and the preceding volumes.

WM. DOUGLAS HAMILTON.

20th December 1876.

ERRATA.

Page

- 14, last line but one, for "Thomas Earl of Lincoln" *read* "Theophilus."
116, line 28 from top, for "Much Ashley" *read* "Much Ashby."
117, last line but one, for "Sir Guy Palmer" *read* "Sir Guy Palmes."
213, line 26 from top, for "Ralph" *read* "Mildmay, Earl of Westmorland."
243, line 8 from top, for "Goggeshall" *read* "Coggeshall."
456, line 43 from top, for "Power" *read* "Powell."
470, line 34 from top, for "Hants" *read* "Hunts."

DOMESTIC PAPERS.

CHARLES I.

VOL. CCCCXXX. OCTOBER 1-11, 1639.

1639.

Oct. 1.

Petition of Robert Webb, cook, and Ralph Moodie, chandler, of the parish of St. Giles-in-the-Fields, and William Hodgson, of St. Andrew's, Holborn, cutler, recusants convict, to the King. Your Majesty was pleased upon a former petition, for the preservation of petitioners and others of the poorest sort of convicted recusants from ruin, to signify your pleasure to the Commissioners for compounding with recusants that such persons should be admitted to composition under 40*l.* per annum upon information of the churchwardens and overseers, who thereupon were commanded by the Commissioners to certify accordingly. After such certificate made petitioners and others attended, but the Commissioners not having convenient leisure they could not be admitted to make their compositions. Notwithstanding they have been and will be ever ready to compound, there have of late issued out of the Exchequer divers writs and commissions to enquire of and seize petitioners' goods, whereby they are like to be deprived of your Majesty's intended grace, and themselves and families utterly ruined, unless the said writs and commissions be superseded. They pray that special order and directions be given to the Commissioners to admit them to composition under 40*l.* per annum, and in the meantime all such enquiries, seizures, and other proceedings against them out of the Exchequer may be superseded. *Under-written,*

1. *It is his Majesty's pleasure, according to his former directions of the 13th Feb. 1637, that his favour intended by his commission of grace be equally distributed as well to the poor sort of recusants as to others, and that the Lord Treasurer, Lord Cottington, and others the Commissioners take order that the petitioners and all others of their quality be admitted to compound at such moderate rates under 40*l.* as their estates, being certified by the churchwardens or overseers of each parish where they dwell, will bear, and that as soon as they shall have tendered themselves to the making of their compositions, all processes, writs, and commissions for enquiries and seizures be superseded and no further proceedings had upon them. Whitehall, 1 Oct. 1639. [Copy. See Book of Petitions, Vol. cccviii., p. 93. 1½ p.]*

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[Oct. 1.]

1. Petition of Katherine Hadley, prisoner in the Poultry Compter, to the Council. Upon information given by a boy that she had scattered writings, petitioner was carried before the Lord Mayor, and committed to prison. She thereupon petitioned his Lordship for her liberty, but was answered that you were made acquainted with the business, and that it was out of his power to do anything therein, whereupon she has divers times petitioned you, but cannot as yet prevail. Forasmuch as she, being a poor sickly maiden, has been in prison 23 weeks and upwards, and is like to be ruined, having been lodged with a woman who has the foul disease, she prays order for her speedy enlargement upon bond to attend the Lords to answer anything that can be objected against her. [$\frac{2}{3}$ p.]

Oct. 1.

My house,
Drury Lane.

2. Sec. Windebank to [Sir Robert Whitney] sheriff of co. Hereford. About the 11th July last, I made known to you his Majesty's pleasure for the stay of all proceedings upon a commission of enquiry of the recusants' estates within that county, it being informed that it was a new and extraordinary molestation. Since that time it has been made appear to his Majesty that such proceedings are not unusual, nor of any extraordinary prosecution against them, but on the contrary render them capable of compounding with his Majesty's Commissioners according to his gracious instructions, and that the said enquiries are only to be of the lands and goods of recusants already convicted and mentioned in schedules annexed to the commission, and that no seizure shall be made by you or your deputies of the lands or goods of any such as shall engage within three months to attend and prosecute their compositions before the Commissioners in London, unless it be of the lands or goods of such as upon warning from the Commissioners in the country shall refuse or forbear to appear before them, or of such who, having already made their compositions, and neglected to pass their leases, according to an order in that behalf, shall refuse to give security to you that within three months next after they will pass their said leases. Wherefore I am to signify by direction of his Majesty that the commission shall be no longer superseded, but that you and the Commissioners may proceed therein accordingly. [*By a note underwritten it would appear Sir Robert did not receive this letter at Hereford till the 30th Nov. 1639. Seal with arms.* $\frac{3}{4}$ p.]

Oct. 1.

3. Similar letter, but unsigned and endorsed "Copy of Mr. Secretary's letter to the sheriffs of divers counties." [$\frac{3}{4}$ p.]

Oct. 1.

4. Sir Nicholas Carew and Sir Abraham Dawes, [justices of peace for Surrey,] to the Council. According to your order of the 11th August directed to us, concerning the difference between the inhabitants of Battersea and Sir Thomas Southwell and Mrs. Peel, touching the highway mentioned in your reference, we (Sir Thomas Grymes being dangerously sick) have met at Battersea, and find that the gardeners, husbandmen, and many dwellers thereabouts have enjoyed the constant use of the way where the posts are now set up by Mrs. Peel for conveyance of dung, &c. from the waterside.

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The inhabitants desire that these posts may be removed until Mrs. Peel shall provide some other convenient passage, or else that they may have a speedy trial in law for the recovery of the said way, which they conceive to be their right. In the meantime we recommend that the posts be removed, which we will do at your command. [*Seal with arms.* $\frac{3}{4}$ p.]

Oct. 1. 5. Note of petitions and papers delivered over [by the Council to be reported upon. They comprise] petitions of Hackney coachmen against Wrey the messenger, of captains and officers in the late employment [in the North], of Philips, of Watts, of the creditors of John Van Ixem of Norwich, of Capt. Penn, of Katharine Hadley, of Mr. Barkham, of Sames and others feltmakers of London. [$\frac{1}{2}$ p.]

Oct. 1. 6. Inventory of cloths remaining in the warehouse of Mar-Constantinople. maduke Peckett [at Constantinople] for accompt of John Ball, of London, total number 250. [2 pp.] *Annexed,*

6. I. *Certificate of John Woolfe and others that according to the order of Sir Sackville Crow, the English ambassador, they had inspected the cloths, and found the above statement to be correct. Constantinople, 1st Oct. 1639. [Seal with arms.]*

6. II. *License of Sir Sackville Crow for copies to be made of the above certificate entered in the Chancery of the Embassy. 21st Dec. 1639. [2 $\frac{3}{4}$ pp.]*

Oct. 2. 7. The King to Lord Treasurer Juxon. Whereas merchants Westminster. [being] subjects of the Kings of France and Spain, for the better safety and accommodation of their trade in time of war betwixt those kingdoms, have sent great quantities of goods in English shipping by way of Dover, Dover Road, and the Downs, where they receive great advantage by a composition there made with them by the farmers of our customs, according whereunto they duly pay our customs for the same. But forasmuch as we have received information, both by our public ministers abroad as also by some here, that, notwithstanding directions by our late treasurer for prevention thereof, some masters and owners of English ships have of late practised to divert that course, by sending their ships from London, Dover, Southampton, and some other of the western ports of this kingdom in ballast, to take in their lading at St. Malo, Newhaven [Havre de Grace], and other ports of France, to carry the same directly for Spain or Flanders, and relade back to France, without coming to Dover or paying our customs accordingly, by which practice the trade of that port declines in a great proportion, and foreign princes receive the customs and benefits raised by the service and trade of our ships and seamen, and in respect of that private advantage which now remains only to the owners of those ships, our native commodities have greater duties put upon them in foreign parts, as we are given to understand by our public ministers abroad. We therefore require you to give order to the officers of

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our customs in London, Dover, and all other ports of the kingdom, that they give notice to all masters and owners of such ships of this our pleasure, that from henceforth they forbear any such practice and trade which tends so much to our prejudice, and that from henceforth wheresoever they conceive any such shipping is intending to go contrary to this our pleasure that they take good bond, with sureties to our use, of every such master or owner of such ship or ships as trade between the said nations in manner aforesaid, that they neither go for France to lade for Spain or Flanders, nor return from Spain or Flanders with their loadings for France, until such time as the goods of either nation be brought to Dover, Dover Road, or the Downs, and due entry be made thereof in the custom books, and our duties really answered for the same, according to the composition there held for goods of that nature, being not for the consumption or vent of this kingdom. [*Copy. 3 pp.*]

Oct. 2.
London.

8. Algernon Earl of Northumberland to Sir John Pennington. Whereas complaint has been made to his Majesty by the resident of Spain that since the coming of their fleet into the Downs divers of their mariners have absented themselves from their ships and have received passage and entertainment in English bottoms, to the great prejudice of that fleet. His Majesty has signified to me his express pleasure that during such time as the Spanish fleet remains in the Downs none of his subjects shall presume to admit on board or give passage to any Spanish soldiers, mariners, or seamen appertaining to that fleet, either for Dunkirk, Spain, or any other place. Wherefore you are to give notice of this his Majesty's pleasure to all masters of ships now in the Downs and likewise to all such as shall come thither during the time above said, straitly charging them that they carefully observe the same and in no wise transgress it, as they will answer the contrary at their uttermost perils. I made his Majesty acquainted with the reasons you alleged in your last packet save one, for your not releasing the merchant ships in the Downs, though you had order for their discharge, wherewith he was very well satisfied in the general, but for some particular ships, viz., the Ann Bonaventure, the Golden Lion, the Speedwell, the James, the John and Thomas, and the Golden Eagle, in regard some of them are deeply laden and the rest are to take in fish at Plymouth, his Majesty has been so importuned both by the farmers and owners that he has given me order for their discharge without further interruption, of which I desire you to take notice and to give present order therein accordingly. The Prince Elector intends to come towards you very suddenly, and therefore you must not fail to have a ship in readiness to attend his Highness, according to my former directions, when he shall send unto you for the same. The French and Holland ambassadors still continue to give the King assurances that they will not attempt anything within the King's ports or roads, which makes us the more confident that they will still pay those respects that are due unto his Majesty. However I think to be with you so soon as the wind will suffer our ships to

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get out of the river ; in the meantime we must trust more to their civility than to any strength of ours. So wishing for a good deliverance from these troublesome guests I rest. [3 pp.]

Oct. 2. 9. Extract from the above letter concerning the continued assurances of the French and Holland ambassadors. [1 p.]

Oct. 2. 10. Dr. William Robinson, John Pate, and Thomas Caldecott, Long Whatton. [Justices of Peace of co. Leicester,] to Sec. Windebank. Certify their proceedings in obedience to Windebank's instructions [see *July 4th*, 1639, No. 16] for the examination of witnesses relative to the seditious speech charged against John Oneby, a lawyer, by John Moore, M.A., in a petition to Archbishop Laud. [1½ p.]
Annexed,

10. I. *Depositions of William Musson, of Much Ashby, and Thomas Mason, of the same place.*

10. II. *Answer of John Oneby, Counsellor-at-Law, to the complaint of John Moore, clerk, contained in a petition exhibited against him [see *July the 4th*, 1639, No. 16. I.] by the said Moore to Archbishop Laud, taken before the above-named justices of peace on the 30th August 1639. In Lent last, being in the house of Mr. Bartholomew Byard, at Much Ashby, for the purpose of meeting some clients, Mrs. Brookesby, who was sitting at a table next him, asked what he heard to be the cause that moved the Scotchmen to make these wars against us. Whereunto this examinant answered that, as he heard, the Scots at the first did refuse the Book of Common Prayer and episcopal government, or words to that effect. And then, immediately upon those words, examinant said if these were the cause of the Scottish men's wars then their war is their priests' war, or war for their priests, but which he cannot remember ; further he said that he had never read in any histories but that all such wars begun under colour or pretence of religion did break out into rebellions or invasions or such like ill, though they pretended religion at the first, adding that he prayed God that the wars which the Scots make may not prove such, and further that the King's Majesty was enforced to raise forces and to make war to prevent and suppress these ill attempts of the Scots, or words to that effect. He further deposed that the words he there spake were only and expressly of the Scots and their war and their priests and bishops, but denies absolutely that he spake any word concerning any English priests or bishops, or had any reference to them in his discourse. Denies that he heard William Musson say in reply to him "the said wars were not the priests' wars, they are the King's."*

10. III. *Examinations of Mary Brookesby, wife of Matthew Brookesby, of Ashby Magna ; Rose Cooper, wife of John*

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Cooper, of Much Ashby; John Kinde, of Willoughby Waterless; Richard Bent, of Cosby; George Goodman, of Croft; and Isabel Byard, wife of Bartholomew Byard, of Much Ashby. [6 pp.]

Oct. 2.
Berwick.

11. Sir Michael Ernly to Sir Henry Vane. Here is little news worth your information. The parliament in Scotland, for aught I hear, has rather disputed business than concluded anything. It is credibly reported that there is much dissension amongst them. I very much desire to know whether it be the King's pleasure that the fortification shall go forward this winter; the weather here will be very ill and uncertain, and, unless there be greater occasion than I can conceive, it will be best to let it remain until the spring of the year. The officers of the garrison are much discontented that their pay is not yet established, and intended to have petitioned the Lords, but the governor going himself they were persuaded to desire him to inform the Lords both of that and other things concerning this garrison. A malignant sickness broke out amongst us, but is much abated. The last man that died was Mr. Calvert I know not what to call the disease, but the persons afflicted with it fall mad and die in that state. I must tell you that I had order to receive Sir Humphry Sydenham's company as amply as he enjoyed it, but the governor took 25 men out of the company and put them into the several companies, which is much to my disadvantage. But in regard it was the King's pleasure to command me hither I took no notice of it. I hope you will think of me when there shall be occasion, for I have no other friend. [1 p.]

Oct. 2.
Berwick.

12. Charles Flood to the same. A month ago I sent you a letter, whereby you might consider the estate I am in still with the Prince of [Orange], though by the King's and your command I came over without his leave. I should be glad if I could perform any acceptable duty to my King, yet in my life I have never lived under 4s. per day. I have [served under the direction] of the mayor since Sir Humphry [Sydenham's] sickness till the present. I vow to God I would rather serve my King for 4s. per day than any prince in the world for 40s. I am 40l. out of purse. I have made three corps de guard, 40 sentinel houses, two draw-bridges yet unset up, and the barricades before Mary Gate according to Sir Humphry's order, but finding it not resistible I thought it unnecessary to go on withal, but whatever he said was law, and I was only the agent to his projections. I never was a courtier; all my ambition is honestly to perform the duty imposed upon me. [Seal with arms much damaged by damp. 1 p.]

Oct. 2.
St. Twinell.

13. Thomas Collard to Richard Harvey. I beg you to entreat your master to speak with the judges about my son Luttrell's business, and to make known to them the equity and right that he has in the menes [mines?] appointed to be argued the second day of this term, as I understand by J. Butcher. We rely more upon your

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friendship than upon all other men's, therefore do for us what you can. [1 p.]

Oct. 3.
Dover.

14. Theophilus Earl of Suffolk to Sir John Pennington. On Saturday last a small ship of Holland, commanded by Captain Dorvelt, came aground under Dover Castle, whereby an anchor and cable became, in right of my admiralty of the Cinque Ports, due to me, and my officer had secured the same or some satisfaction for the value thereof whilst the captain was here, if this bearer had not at his instance engaged himself forthwith to satisfy 10*l.* as a moderate composition for the value of the same. But now this bearer complains that Capt. Dorvelt, having got into the Downs with his ship, refuses to repay the 10*l.*, and that without your assistance he is likely to lose the same. Wherefore I pray give him your furtherance therein as you shall find most fit. [*Seal with arms.* $\frac{3}{4}$ p.]

Oct. 3.
Drury Lane,
1 a.m.

15. Sec. Windebank to the same. His Majesty has commanded me to signify his pleasure to you that presently, upon receipt hereof, you be very careful that no person of what quality soever, other than the Prince Elector and such as shall be in company of his Highness, be suffered to pass out of this kingdom towards any part beyond the seas till his Majesty's pleasure shall be further known. And in case any person shall endeavour to pass by his Majesty's fleet with any letters, you are to make stay as well of the letters as of the passengers, not excepting the letters of any ambassador whatsoever, and detain both passengers and letters till you shall receive further order. Herein you are to be very diligent, his Majesty's service being very much concerned in this business. [*Seal with arms.* 1 p.]

Oct. 3.

16. Draft of the same. [$\frac{3}{4}$ p.]

Oct. 3.
Beakshourne.

17. James Wilsford to Nicholas. I have lately received a letter from the Council requiring me to pay in the money or to attend the Board the first Sunday in the term, which my business, unless there be necessity, will not permit me. Do me the favour, if it be in your power, to prorogue it a month longer, and appoint the time, when I will not fail to attend. When I have ended this I will forswear troubling the Lords more. I entreat a line from you by the next post. [*Seal broken.* $\frac{1}{2}$ p.]

Oct. 4.

18. John Earl of Bridgewater, Sir Thomas Milward, Sir Marmaduke Lloyd, and others to the Council. We heretofore certified the Archbishop of Canterbury of the seditious passages at an unlawful conventicle of certain persons at Blodwell, Salop, together with the examinations of the said persons taken before us. Whereupon, as appears by your letters to us lately directed, you were pleased to direct us to cause such proceedings to be [taken] before us against the said delinquents for their misdemeanours and seditious courses as should be agreeable to justice, or otherwise, in case upon further examinations taken their offences appeared to be

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capital, then the offenders to be indicted and proceeded against according to law. We thought ourselves obliged to advertise you that whilst we were further examining the premises, and an information was prepared by his Majesty's attorney attending this council against the delinquents, we were acquainted by letters from the Bishop of St. Asaph, within whose diocese the said conventicle was held, with his Lordship's proceedings against them for part of the matters objected against them; from whom also, for our further satisfaction, we received the copies of the acts and proceedings therein, which herewith we present unto you. And for the other matters wherewith they are accused, being the one, as we conceive, of blasphemy, most proper for ecclesiastical cognizance, and the other a crime capital, and in that way to be proceeded in, if there were clear and competent proof, which we doubt of, we have thought good to forbear any further proceedings therein till your pleasure be further signified. [*Seal with crest.* 1 p.]

Oct. 4.
Exeter.

19. The Deputy-Lieutenants of co. Devon to the Council. If to accuse were sufficient, none should be innocent, if to excuse none would be nocent. We have used our best endeavours to search out exactions, with what fruit the enclosed will inform you. The offenders we commend unto your justice. That you employ the informer to a more narrow scrutiny is our earnest desire, for we must profess that we yet groan under the bruit of this corruption, and as we acknowledge ourselves very unworthy the places we bear if we should prove any way guilty of this accusation, so should we be as unworthy if we should not endeavour to vindicate so foul an aspersion, for as it is very just you should right the country upon us if we be foul, so it will adequate your justice to right us on the informer if we be clean; it will clear our reputes, cheer us in our duties, and encourage others to observance. [*Seal with crest.* 1 p.]

Oct. 4.

20. Justices of Peace for Middlesex to the Council. According to your letters [*see Vol. ccccxviii., No. 87*], we called the brick and tile makers before us, intending by a conference with them to have settled abuses in that trade by consent, but we found amongst the brickmakers, especially those that have been of the corporation, as we conceived, a combination rather to give over the manufacture than to be abated anything of such price as they have generally agreed upon amongst themselves, that so by necessity of the use of the material their price proposed may be admitted. We find also upon enquiry and due search made, much abuse in the ill-ordering, making, burning, and assizing of their bricks and tiles, which in our opinion deserves punishment for example's sake. Upon conference with them and others and amongst ourselves we find that the brickmakers may make their bricks and sell them at the kilns for 8s. per thousand, or delivered at the place of the work for 1s. per mile in winter or 10d. in summer extra for every load; and herein is considered every particular of the charge, with a competent gain allowed to the workmen; whereof if you approve,

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it will be necessary, in our opinions, that the same be published by proclamation to be observed, as has been done heretofore in the like case. There are two other materials, lime and sand, and the ordering of workmen's wages of all sorts, worthy of consideration in matter of building, if you shall so think fit, which now also are grown to a very great height, and we have held it our duties to remember them and to offer them to your judgments, being ready in all duty to do our best endeavours in this or any other his Majesty's services. [1 p.]

Oct. 4.

21. Petition of William Smith to the Council. The difference between petitioner and William Aldred having been referred by the Lords [to the High Commission], petitioner attended the hearing thereof [at Doctor's Commons], as appears by the affidavit annexed; but Aldred by misinformation obtained from Dr. Rives a dismissal till another summons. Petitioner prays the Lords to order that Aldred shall attend Dr. Rives according to his second note. [1 p.]
Annexed,

21. I. *Depositions of William Smith and Lawrence Butler, taken before Dr. William Sammes. That the cause being appointed to be heard before Dr. Rives on the 2nd inst., they attended at Doctor's Commons until past 3 o'clock. Lawrence Butler also deposes that yesterday Dr. Rives wrote a note fixing the hearing for the 4th inst. at 9 o'clock, which note was left at Lockington's house, but neither Aldred nor Lockington appeared.* [$\frac{3}{4}$ p.]

Oct. 4.

22. Archbishop Laud to Sir Thomas Roe, English Ambassador at Hamburg. You have now all that I can say to your letter, saving to the passage concerning Dr. Johnson, for which you need ask no pardon, for I thank all my friends most [sincerely] for their greatest freedom, and so do I you for this. But the case stands thus: Dr. Higgs, at the Queen [of Bohemia's] suit, having been preferred, her Majesty desired me to supply her with [a chaplain] to succeed him. I pitched upon Dr. Johnson, both because of his language and experience in Germany, where he was three or four years with Sir Robert Anstruther, in all this time highly commended, and by him, who, as I think, is far enough from Socinianism. Besides I could not easily find so ready a preacher. 'Tis true this last spring I received advertisement from Amsterdam that he had strangely discovered himself as foully tainted with Socinianism. Presently upon this I wrote to the Queen of Bohemia, to Sir William Boswell, and to the Doctor himself, with a resolution expressed to recall him and punish him too at his return in case he were found guilty. Upon this all was found to arise from a mistake of Dr. Rivett, who being spoken with again acknowledged himself fully satisfied. I had letters, of the truth of this, and in Dr. Johnson's commendation, from the Queen, from the Prince Elector, and from Sir William Boswell, with a desire that I would not recall him. Thus far I went, and if you can say more to this I pray write it freely; but think withal what a

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mischief may follow, if after such satisfaction, besides his own abjuration of these opinions and his preaching strongly against them, I should disgrace a man of his learning and spirit without all proof. For my part, I know not how to do such open wrong. But if they who scandalize him, so far as Hamburgh, will take upon them to prove anything against him, I will, upon notice given by you, recall him instantly. [*Endorsed by Archbishop Laud*: "A branch of my letters of Oct. 4th, 1639, to Sir Thomas Rowe, Ambassador at Hamborough, touching the report of Dr. Johnson's being a Socinian." $\frac{3}{4}$ p.]

Oct. 4.
Bristol.

23. Bishop Skinner of Bristol to Archbishop Laud. The church benefices are peaceably disposed of, and the augmentation of the church means is agreed on and settled by a chapter act. For the benefices first: the dean has Olston [Olvoston], eight miles from Bristol; Mr. Tucker has Barclay [Berkeley], 15 miles from Bristol; and Mr. Weeks has Banwell, 13 miles from Bristol. The truth is, before your letters of the 23rd Sept. came to hand I had so far proceeded and dealt with Mr. Dean to Mr. Cutbeard's satisfaction in a temporal accommodation, and to Mr. Tucker's satisfaction in his remove to Barclay [Berkeley], which for profit is better than Olston [Olvoston], and has a singular good house, so that I had no heart to reverse, no, nor to ruffle the business. The dean and myself had fully accorded that it was your intent Mr. Tucker should be regarded, and so his importunities abated, if it might justly and fairly be compassed; and there was no way to effect it fairly, but by satisfying him to whom Tucker had promised, and who never had had any addition from the church, and whose relations are considerable, being first chaplain to Lady Montague, the Lord Privy Seal's mother, then preferred to a small benefice and to be prebend of Wells by Bishop Montague [of Norwich], then by Sir Sydney Montague's mediation brought to be canon of this church. Possibly you may remember this Mr. Cutbeard. A small jurisdiction he has of no more but one parish, and thence for a commutation he presented you, as I have heard him say, with 40*l.* to St. Paul's fabric; but a temporal advantage being thought on for him, Tucker had Barclay with his consent and suffrage; the rest of competitors having been formerly pleased were not so regardable. Bamwell fell to Mr. Weeks' lot, if he can hold it, being without distance of his other benefice, but I wish his accommodation. For the church's augmentation these were the passages. The dean flatly told me he could prevail nothing with the prebends, save only with Mr. Weeks, who to give him his due was the only honest, faithful man in this business among all the prebends. But I told Mr. Dean as flatly that the business was to be done and should be done. That it stood not with your Grace's honor nor yet with my poor reputation to take from Dean Chetwind 200*l.* and then to put it into his pocket, for what would a thousand Puritans say? I showed him moreover a part of your late letters which enables me to revive and call upon the business. I showed him also what an absolute submission and reference the

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dean and chapter had made to his Majesty, and under his Majesty to you, for disposing of the two leases to the church's use and advantage. I further added if they stood off till my visitation, they should answer their tergiversations with shame enough. The very next day after a chapter was called and all assented to in peace, and confirmed by a chapter act, viz., that 200*l.* yearly augmentation should accrue to the church out of the two leases; to the dean's place 40*l.* per annum, to each and every prebend 20*l.*, to the choir 20*l.* yearly, and to the fabric 20*l.* Likewise the 20*l.* for mending highways is disposed of to the public good. I doubt not but the dean was of himself very well affected to all this, but by their averseness they had even tired him out and taken off his edge. [2 pp.]

Oct. 4.
Cawood.

24. Archbishop Neale of York to Sec. Windebank. I wish your greater occasions would afford you leisure in a line or two to let me know how his Majesty accepted my answer to your last letters to me concerning Dr. Jenison. I am in a straight, not knowing what to do with him; to let him return to Newcastle I dare not; to restrain him from his own house, wife, and children he thinks a very hard case, and indeed so it is. If I knew how his Majesty accepted of that answer, I should the better resolve what to do with him. He still professes conformity, which I dare not trust him in. I have endeavoured to have information from Newcastle of any correspondence that he has held with the Scotch Covenanters, but can discover none. For other things, he has confessed and promises amendment, which I wish were hearty. I am very earnestly entreated by an honest man, to whom I have a long time been beholden to for his care of my health, to solicit you to do him a favour, but my petition is and shall be bounded by due respect of your own convenience. His suit is, to obtain his Majesty's letter to the Governors of St. Thomas's Hospital, for the reversion of the apothecary's place for that hospital. The bearer whom I move for, William Rouswell, is a man of very good worth and ability in his profession, bred therein, and much used by our ancient friend Sir William Paddy. By doing him this favour you will oblige him to be a faithful and loving servant to you and all yours while he lives. [*Seal with arms.* 1 p.]

Oct. 4.
The Unicorn,
in the Downs.

25. Sir John Pennington to Sec. Windebank. Yours of the 3rd inst. has come to me. I must crave pardon for not performing your commands therein mentioned, for that I am absolutely prohibited by the Lord Admiral from executing anything except I have it immediately under the King's own hand or from himself, and I have suffered for it in his Lordship's good opinion heretofore; moreover your directions are so lapped up that I know not well what can be done in them, for you neither name the persons of the men that should be stayed nor their country, neither can I stay any man by that direction, if the Prince Elector will own him to be of his company. [1 p.]

Oct. 4.

26. Copy of the same. [$\frac{3}{4}$ p.]

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Oct. 4.
Woodhall.

27. James Gibbes to [Richard] Harvey. This is to bid you welcome to London again, and to give you notice that I had and have a great resentment of the misfortune of not seeing you when you called at Woodhall in passing by. Here we are all alone, and apply ourselves to our books diligently. I hope to make Mr. Philip [Porter] my masterpiece, according as he proceeds with me and takes learning. His father told us we should shortly be going over sea, but I fear it will not be before next spring. What you may advise I shall be glad to follow. As for Mr. Charles [Porter] no great matter could be worked with him, wherefore I should rejoice some settled course should be thought on for him. I received letters from Mr. Bartlet lately, who desires to be remembered to you. [*Seal with arms.* 1 p.]

Oct. 4.
Conisholme.

28. Thomas Butler to the same. I was sorry that you were gone away before I came up to Hollam Hill. I desire to know whether Master Porter has received my letters, and what effect they have wrought. I hope you will stand my friend to speak for me when you see cause. I know that Mr. Philips never had any good heart towards me, for if he had, I think verily that he would not have left me in such a case as he did, taking no care for me whether I sink or swim. I would have been at London before this time, but for special occasions; however I will be there about the middle of this term. [1 p.]

Oct. 5.
The Court,
at Whitehall.

29. Sec. Windebank to the Sheriff of co. Oxford. There lately issued forth to yourself and others a commission for finding of the lands, goods, and chattels of certain recusants, which proceeding being only intended for enabling those who are already convicted and mentioned in a schedule annexed to the commission to make composition for the several sums due to his Majesty upon the statutes for their recusancy, according to his Majesty's instructions in that behalf, which otherwise they could not do. Forasmuch as the commission of enquiry has been by divers misunderstood as an unusual violent prosecution against recusants, which is not his Majesty's intention, these are to signify that his Majesty's intention is that no seizure be made of any of the lands, goods, or chattels of those who shall, at the execution of the aforesaid commission, enter their names that they will, within three months after, prosecute their composition in London with his Majesty's Commissioners for Recusancy, and that you be careful, in the execution of the commission, that all further or unusual prosecution against recusants be forborne by those who shall be therein employed. If any seizures be already made by you or your deputies contrary to these his Majesty's gracious intentions, the same shall be forthwith restored, such being his Majesty's clemency towards them at this time at the instance of her Majesty. [1 p.]

Oct. 5.

30. Similar letter to the Sheriff of Sussex. [*Seal with arms.* 1 p.]

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Oct. 5. 31. The like to the Sheriff of Somerset. [1 p.]

Oct. 5. 32. The like to the Sheriff of Hants. [1 p.]

Oct. 5. 33. Sir John Manwood to Sec. Windebank. According to the
Dover Castle. commands in your letter touching the powder, I have sent the merchants' accounts how they intended to dispose of it, and from whence they had it, if his Majesty restrain them not, they being humble suitors to know his Majesty's pleasure. My Lord will satisfy you in all other points that concern him. [Seal with arms. 1 p.]

Oct. 5. 34. Copy of the same. [$\frac{1}{2}$ p.]

Oct. 5. 35. Theophilus Earl of Suffolk to Sec. Windebank. Upon receipt
Dover. of your letter of the 4th inst., I sent aboard Sir John Pennington, to enquire of the Prince Elector's passage, and had from him the enclosed answer. According to your directions I have made stay of all passengers and letters within the Cinque Ports, and likewise the ordinary packet that goes for France; but now, as I conceive, it is your meaning that the restraint be taken off, and the packet-boat has liberty to go away to-morrow with the tide. And to the rest of the ports I shall now send order to put them in the same state they were before the restraint, until such time as I shall hear more from you. I acquainted the general of the Spanish fleet with his Majesty's favour concerning the landing and accommodation of his sick men. He seemed thereat to be infinitely taken, and uttered many thankful acknowledgments for all his Majesty's princely favours, and in this particular I did let him know that the Spanish resident had moved his Majesty therein. But the general returned me answer, as I said before, with thousands of thanks to the King, that he had taken order to send his sick to Dunkirk, and therefore had no occasion, in this particular, to make use of his Majesty's grace and favour. P.S.—There have no French come either to Dover or Rye, saving two mean persons belonging to the Queen Mother; the one came to Dover, the other went to Rye with divers letters to ladies and other private persons, all which shall be presently returned to them again, and they themselves suffered to go on their journey. [1 p.] *Enclosed,*

35. 1. *Sir John Pennington to Theophilus Earl of Suffolk. Your letter of this date is at this instant come to me, in answer whereof the Prince Elector set sail from hence in the Bonaventure yesterday, between 4 and 5 o'clock in the afternoon, for Bolline [Boulogne], in France, and, as the report of their ordnance tells me, was landed this forenoon about 10 o'clock. The Unicorn, in the Downs, 5th Oct. 1639. [1 p.]*

Oct. 5. 36. Copy of the above letter of the Earl of Suffolk to Sec. Windebank. [1 p.]

Oct. 5. 37. Algernon Earl of Northumberland to Sir John Pennington.
London. According to your desire, I have acquainted his Majesty with such

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particulars contained in yours of the 2nd and 4th inst. as were worthy his taking notice of. Howsoever, the Admiral of Holland seems to excuse the seizing upon those vessels, because the King had prohibited his subjects from transporting Spaniards to Dunkirk, yet he cannot choose but take [it] ill that the Hollanders should presume to take them under the command of his forts. And for the masters of those ketches who have offended in this business, I shall take order they be severely punished; and his Majesty doth expect the Admiral of Holland should do the like with his captains who have transgressed, especially with him that durst wear the King's colours in his Majesty's own roads, contrary to all honest practice. With the proceedings of the packet-boat his Majesty is much displeased, and has given order to the secretaries of state to examine the business and to see the delinquents punished; but for a more certain reformation of that abuse, it is very necessary that I be made acquainted with such particular offences as have been committed by that boat, as also with the proofs, that we may be sure they be not doubtful, but infallible, whereof I desire you to have a special care, not only for what has been already done, but what shall be done by her hereafter. As for the misbehaviour of Rockwell, master of the Greyhound, I am content he be discharged so soon as Wheeler shall come to you, unto whom, upon his humble submission and very serious promise of amendment, I shall once more give warrant for the command of that vessel, and shall despatch him towards you suddenly. I have this morning sent for the victualer, and have acquainted him with the complaint you make, that there are no victuals come down for the three ships, who protests, upon his credit, that the victuals went away ten days ago, and had not the wind been contrary they would have been with you long ere this; adding, moreover, that to prevent all inconvenience he did long ago furnish Holt, your purser, with 200*l.*, to supply either you or them with fresh victuals from the shore, in case there should be any necessity before the coming down of their victuals. You have done well in refusing to put into execution those directions sent you by Sec. Windebank, and I will excuse you therein to the King, and justify the doing of it. Concerning Apslin, whom you recommend unto me, I shall remember him, the rather at your entreaty, when any master shipwright's place shall become void, if I find him capable thereof. And whereas you desire to receive more punctual instructions than have already been sent you concerning your demeanour towards the two fleets in the Downs, I do assure you that you have the very same that were given to me, and other than those I cannot send you. The inconveniences that may happen by suffering these two great fleets to remain in the Downs have been fully represented to the King, but his Majesty is not yet resolved upon the appointing a day when both fleets shall depart the road. [3½ pp.]

Oct. 5.
Ancaster.

38. Thomas Earl of Lincoln to Archbishop Laud. I am and always have been very desirous to submit to your private determi-

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nation the cause depending in the High Commission which concerns myself and the vicarage of Stowe. I doubt not but to satisfy you that this vicarage is endowed but with 20 nobles per annum; the tithes thereof were impropriate to the monastery of Semperingham, which was purchased from the Crown by my great-grandfather, Edward Earl of Lincoln. Within a quarter of a mile of Stowe is the vicarage of Threckingham, the endowment whereof exceeds not 40 marks per annum. I have for all my time allowed to the church to which those few inhabitants of Stowe have resorted, not only the 20 nobles due to Stowe, but a part of the impropriate tithes. Before ever the present suit was thought of, I moved your visitor in these parts that the vicarage of Stowe might be consolidated with the vicarage of Threckingham, which he approved, and it was in doing by direction of my counsel when this suit was commenced. I am now suitor that the consolidation may proceed, the churches being so near and both of them so poor. I give you many thanks for your respects to me in the proceeding of this business, especially that you are pleased to bestow your pains in private to accommodate me in my desires. In the beginning of the term my counsel shall not fail to attend you, and I then hope to give you good satisfaction in everything, which my friend Sir Christopher Wray has, on my behalf, alleged to you in my necessary absence, and I trust I shall be able to wash my hands before you from the charges of demolishing or profaning the Church. The desire I had to clear myself from these foul aspersions hath been the only cause on my part of spending time in this suit, and unless in this summary way I do render myself innocent, I shall willingly, in that and everything else, abide your judgment. [*Seal with arms.* 1 p.]

Oct. 5.

39. Statement of the stages through which the suit in the Star Chamber *versus* Bishop Williams, of Lincoln, has passed, since the 18th Jan. 1638, when the information was exhibited against the bishop. Under date 29th Nov. 1638 occurs this entry:—Upon the Attorney-General's information that the bishop had several times made insufficient answers to the interrogatories, and will not be drawn to perfect his examination according to the last certificate of the judges, but is close prisoner for his contempt therein, it was ordered that the examiner attend him that afternoon, and unless he perfect his examination in a week, the matters questioned shall be taken *pro confesso*. So there has been above 10 months spent before the bishop could be brought to perfect his examination upon interrogatories, and 10 months more spent in bringing in some of the other defendants, many of them being kept out of the way by the bishop's means, and some others of the principal defendants are yet concealed and shifted away, insomuch as Mr. Attorney has been driven to move the court, 5 Oct. 1639, for a special order to reply to them, when they can be brought in to answer. The bishop's counsel was heard at large by the judges referees touching the scandal in his answer, and he had knowledge that it was expunged above 11 months since, as will be witnessed by Mr. Parry, who

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delivered him the copy of his answer so long since, with those words expunged, by direction of the court, and his lordship expostulated the matter with Parry about expunging the same. So, if in truth there had been cause, he might have questioned Mr. Kilvert and any others by his bill before this time, it being 16 months since the scandal was expunged. And now, after replication filed and issue joined in the cause, to add unto or alter a defendant's answer hath not been known; and since this cause has been delayed now 20 months by the shifts and contempts of the bishop, it is humbly prayed that the defendants may examine all their witnesses, and publication pass within a month, that the cause may be brought to hearing this term. Nine orders of court have been made for his close imprisonment, and one that he should be taken *pro confesso*, before he could be brought to answer, and be examined upon interrogatories. *Underwritten,*

39. I. *In the first cause the bishop inserted scandal in his answer against Sir John Lambe, and because it was not excepted against before the replication filed, it could not be expunged. [3 pp.]*

Oct. 5. 40. Account by Sir William Russell of ship-money for 1638. Total received 40,660*l.* 12*s.* 9*d.*; in arrear 29,089*l.* 7*s.* 3*d.* [1 p.]

Oct. 5. 41. Account of ship-money for 1638 levied and remaining in the hands of the sheriffs. Total 1,851*l.*, making, with the 40,660*l.* paid to Sir William Russell, 42,511*l.* The following was the state of arrears: For 1635 = 4,536*l.*; 1636 = 7,181*l.*; 1637 = 20,459*l.*; 1638 = 27,089*l.* [1 p.]

Oct. 5. 42. Receipt of Edward Peters for 240 barrels of gunpowder from Hamburgh for exportation to Dunkirk. [$\frac{1}{4}$ p.] *Annexed,*

42. I. *Receipt of David Hensen for 50 barrels of gunpowder from Hamburgh, to be transported to Madeira and consigned to Mr. Martin. [$\frac{1}{4}$ p.]*

Oct. 6.
Whitehall.

Henry Earl of Holland to Sir Robert Bennett, Surveyor of the Works belonging to the Castle and Honour of Windsor. I am informed that it will be necessary for the good of his Majesty's deer belonging to Francis Yong's Walk within the Great Park that the large pond adjoining to the great meadow within the said walk be scoured, and also that the pales round about the little meadow near the lodge be repaired. It is fit also to alter the locks of the gates belonging to the Great Park, thereby to disappoint the multitude of keys by which the park is made in a manner common, as well to the disturbance and hazard of the deer there as to the filling of the park with horses and cattle of persons unknown. I require you therefore to cause the locks to be changed and the pond scoured, and likewise that the pales above alluded to be repaired. [*Copy. See Vol. ccclxxxiv., p. 65. $\frac{4}{5}$ p.*]

Oct. 6. 43. Certificate of Philip Holman, sheriff of co. Northampton, by which he submits to pay the arrear of ship-money charged upon the

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county by virtue of writs directed to him, excepting only the sums charged upon the corporations within that county. [$\frac{1}{2}$ p.]

Oct. 7. Grant to Ralph Nicholls of 100*l.* per annum for executing the place of Marshal of the Ceremonies to his Majesty, in the room of Amis Andros, upon the surrender by Andros of the like grant. [*Docquet.*]

Oct. 7. Presentation of Francis Stroud, clerk, M.A., to the rectory of Cadeleigh in the diocese of Exeter, void by the death of the last incumbent, and in his Majesty's gift *hac vice* by reason of the minority of Simon Leech, his Majesty's ward, or for want of suing out his livery. [*Docquet.*]

Oct. 7. Warrant to the Exchequer for an allowance of 40*s.* per diem to Sir William Boswell, resident for his Majesty with the States of the United Provinces, for his entertainment in that service, to commence from the 3rd April last exclusively, and to continue till his return; also to advance to him from time to time three months entertainment to be defalked upon his account; likewise for payment of such other charges as by bill to be by him subscribed and allowed by one of the principal Secretaries of State shall appear due. [*Docquet.*]

Oct. 7. 44. Sir William Armyne to the Council. In obedience to your commands Sir Edward Hussey and myself have heard the allegations of Lady Pakenham for proof of the suggestions of her petition unto you in June last concerning a light horse now in difference betwixt that lady and Mr. Brownlow. We have likewise heard what Mr. Brownlow can say. It appears to me that Richard Brownlow, the father, first bought the reversion of Belton in 1609, and not long before Sir Henry Pakenham's death purchased also the present possession, agreeing to pay Lady Pakenham a rent of 560*l.* per annum during her life, upheld from all manner of charges whatsoever. Accordingly, from 1619, about which time Sir Henry died, till 1627 Richard Brownlow stood charged for Belton with a light horse, and did in that time show horse and arms for Belton according to his charge. On the 10th February 1627[-8] Francis Earl of Rutland, then Lord Lieutenant of co. Lincoln, charged Captain Godfrey, who had married the lady, with a light horse, for his wife's lands in Belton in the occupation of Richard Brownlow, but from that day to this never any was showed, neither by Mr. Brownlow nor by Capt. Godfrey. About Christmas 1638 Capt. Godfrey died, and Lady Pakenham, his widow, says she was never yet charged with any horse or arms, but is very willing, if she, releasing her annuity, may have the possession of the house and lands in Belton during her life, with all the profits and commodities thereunto belonging, as amply as she had before the bargain made with Richard Brownlow to find the light horse and arms which stand now charged upon Belton. Otherwise she hopes to enjoy her rent reserved out of Belton, free from all manner of charges whatsoever, as hitherto she

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has enjoyed it, save only the trouble and charge of this particular business now in hand before you, which she prays you would relieve her in. And so, in submission to your final determination in this matter, I conceive Mr. Brownlow should find the light horse and arms during the life of the said Lady Pakenham, as his father did before him, in regard of the before-mentioned bargain, and that Mr. Brownlow now has the full possession of the house and lands in Belton and dwells upon them. [1 p.]

Oct. 8. 45. Lord Treasurer Juxon to the Officers of the Customs of London House. Sandwich and Dover and the Members thereof. I have received his Majesty's privy seal, dated Westminster, the 2nd inst., concerning the abuse of freighting and unlading English bottoms in foreign ports, without touching at Dover, Dover Road, or the Downs, or paying the duties according to composition for the same, as by the copy thereof [See p. 3, No. 7] herewith sent may more at large appear. These are therefore to require you to take good heed to the tenor of the said privy seal, and to observe the same in all points. [Copy. 1 p.]

Oct. 8. 46. Robert Reade to William Dell. Upon the enclosed information of Winckworth against Parsons, Mr. Secretary [Windebank] sent his warrant for him; and now that he is brought up it appears that this is the third time he has been questioned for this business. The first time he was in trouble about it was in 1633, when he remained a good while in restraint, and then was discharged by consent of Archbishop Laud. The second time the examination of the complaint was referred to Sir Richard Harrison, who certified therein, and to my best remembrance it appeared that it was a malicious accusation. I am sure this third complaint is of malice, it being made by one of his adversaries in the parish, who stands now excommunicated at his suit, yet Mr. Secretary would not discharge him until he had acquainted his Grace with it, which he purposed to do yesterday, but forgot it. You may please therefore to acquaint his Grace therewith and receive his order how Mr. Secretary shall proceed further herein, for though the man can never be too much punished for such an insolence, yet since he has been already twice troubled for it there is the more consideration to be had of him. [Seal with arms.] Written in the margin,

46. I. William Dell to Robert Reade. I have shown his Grace this letter, who thanks Mr. Secretary for his care of him, and yourself for your pains. He had not leisure to speak with the man, nor had heard one syllable concerning him till now, unless it were a great while ago, and therefore his Grace refers it wholly to Mr. Secretary to release him if he please, being heartily sorry he has such occasions to put him to trouble. [1 p.]

Oct. 8. 47. Algernon Earl of Northumberland to Sir John Pennington. Windsor. I have made his Majesty acquainted with that part of your letter, brought me this day by your nephew, which concerns your de-

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meanour between the Holland and Spanish admirals, unto which his Majesty's answer is this, that you are to let the Holland admiral know that his Majesty is now celebrating the feast of St. George at Windsor, but within four days will return to London, and is then resolved to appoint a short time for both fleets to depart the Road, and upon the assurances which the Holland ambassador has given his Majesty he rests confident that in the meanwhile no acts of hostility will be committed by them in that place. This being done, you are to send to the Spanish admiral, to inform yourself in what state they are to defend themselves and to resist that great force of the Hollanders which now threatens them. If when the Hollanders assault the others you see the Spaniards defend themselves so well that with the help of those few ships that are with you they shall be able to make their party good, which the King, upon the report of some, is well inclined to believe, then are you to give them your best assistance, otherwise you must make as handsome a retreat as you can in so unlucky a business. More particular instructions than these I cannot get for you, which you must manage to your best advantage. Your requiring them to forbear but for three days and then to take their course, if the Spaniards were not commanded out of the Road or the Hollanders permitted to fall upon them, exposes you to some censure, having no commission to make any such proposition, but because I presume it proceeded from a good intention in you I will use my best endeavour to make it so understood. P.S.—I have once more given the victualer order for supply of those ships, and have sent to the City about theirs, and that with such earnestness that I assure myself you will hear from them both suddenly, either by sea or by land. [2 pp.]

Oct. 8.
Sion.

48. Thomas Smith to Robert Reade. Mr. Sec. Windebank is desired to procure a warrant from his Majesty to the Lord Admiral for his giving order that his Majesty's ship *Convertive* be made ready to go to sea with rigging and sea stores of that kind, both for the boatswain and the carpenter, as is accustomed for six months, and so to be lent to the Earl Marshal of England. [*Seal with crest.* $\frac{3}{4}$ p.]

Oct. 8.
Greenwich.

49. Bishop Maxwell of Ross, in Scotland, to Sec. Windebank. My lord's grace told me what you wrote concerning the doubt of the two Drs. Wishart. I thank you for your care and kindness, and that you desire not only to know his christian name, but also what I think fit to be done for facilitating the business. It is a mistake that there are two doctors of that name, and so the designation of Dr. Wishart had been enough. His christian name is George. For his ability and integrity I will undertake. To advance and facilitate the errand it is requisite, if not necessary, that his Majesty's letter, and that an earnest one, be directed with all convenient diligence that Dr. George Wishart, sometime preacher at St. Andrew's, may during the suspension of Dr. Jenison have the charge he had at Newcastle, that is, to be lecturer at St. Hallows, Newcastle, on

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Sunday, and at St. Nicholas on Thursday. This letter as I conceive, but in this I refer myself to you who know those things best, must be directed to the mayor of Newcastle and aldermen there, or the mayor alone, as you think fit. What makes me request for haste is that there is *periculum in mora*, for which favour I trust God will reward you; an honest man will be a daily orator to God for you. [1 p.]

Oct. 8.
Exeter Palace.

50. Bishop Hall of Exeter to Archbishop Laud. We begin already to find the effects of the Scottish schism. I am grieved to say that one of my clergy, Benjamin Cox, of Sandford, in my diocese, has lately in his chapel rather than church vented doctrine foully prejudicial to the divine institution of episcopal government. Upon intelligence I convented him, and drew from him the copy of his sermon, written with his own hand, and so before me acknowledged, although, when he saw what I intended, he refused to subscribe his name to it. I pressed him with particulars; he stands peremptorily upon his points. I do therefore wait your pleasure by the hands of my chancellor, to whom I have sent the sermon originally written. I took it the more heinous from him for that the man had been all this while strictly conformable, and was one of the first in my diocese who removed his table voluntarily to an altarly situation; *quo percitus æstro* he hath done this I know not. I doubt more will follow this peevish humour. My zealous endeavour shall not want both for prevention and remedy. [*Endorsed by Laud*: "He submitted and recanted." *Seal with arms.* 1 p.]

Oct. 8.
Exeter Palace.

51. Bishop Hall of Exeter to Sir Dudley Carlton. I received an order from the Council to convent one of my clergy, Mr. Blake, vicar of Bar[n]staple, and to receive his answer concerning his refusal of the payment of the shipping money, which I have accordingly done, and have here enclosed sent you his answer, too full and prolix. You may be pleased to cut off the latter part, which is too personal, and to take notice of the real satisfaction he has given to this point. The man is peaceable, conformable, and of more than ordinary desert. Let him speak the rest for himself in his large answer. [*Seal with arms.* $\frac{3}{4}$ p.] *Enclosed,*

51. 1. *Remonstrance of Martin Blake, vicar of Bar[n]staple, to Bishop Hall of Exeter. Contends that the payment of the assessment does not pertain to the vicar, but to the impropriator of the place, in proof of which he encloses an extract of the register which concerns an ancient taxation of this vicarage by Bishop Stapleton in 1311. Has forborne to pay this assessed sum of 15s., not out of a base desire to spare his purse, much less out of a refractory and perverse spirit against authority, but merely out of an obligation in conscience to preserve the right of the church against the impropriator, seeing*

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the poor vicar's allowance is so small and also that his own expenses in the re-edification of the vicarage-house (which was left to him no better than a ruinous heap) has cost him above 300l. Oct. 4. [1½ p.] Encloses,

51. I. i. *Extract of the register of Bishop Stapleton of Exeter above alluded to. [¾ p.]*

Oct. 9.
Drury Lane.

52. Sec. Windebank to Archbishop Neale of York. I have acquainted his Majesty with your letter of the 6th Sept. concerning Dr. Jenison, and he is very well pleased with your grave and discreet carriage in that business, and with the care you ever use in his and the church's service. For the non-conformity of the person, his Majesty holds it dangerous to his government, especially considering the ill symptom it carries with it, of his correspondence with the Scottish faction; and therefore his Majesty's pleasure is that you shall not only continue his suspension, but proceed further against him for such misdemeanours, as by proof and evidence he shall be found guilty of. In the meantime, that the place he held at Newcastle may not continue unsupplied, his Majesty has commanded me to write to the town in his name, a copy of which letter [*see next entry*] I herewith send you, requiring them to make choice of and to admit Dr. Wishart, sometime preacher at St. Andrew's, to Jenison's charge. This Dr. Wishart is one for whose ability, integrity, and good affections to the church the Bishop of Ross has undertaken to his Majesty [*see p. 19, No. 49*], who has thereupon been pleased to vouchsafe him recommendation. [*Copy. 1 p.*]

Oct. 9.
Drury Lane.

53. Sec. Windebank to [the Mayor and others of] the town of Newcastle-upon-Tyne. His Majesty having understood that Dr. Jenison, who held the place of lecturer in Newcastle, stands suspended for nonconformity, and is to be questioned for sundry other misdemeanours, has commanded me to signify to you his care of the good of that town and how sensible he is that the place should continue unfurnished of an able and learned minister. Whereupon his Majesty's intention is that it be supplied with some person of integrity of life and soundness in religion, and to that end has made choice of Dr. George Wishart, whom his Majesty knows to be very fit for that charge. His Majesty's pleasure therefore is that you do not only immediately choose the said Dr. Wishart to the place of lecturer at St. Hallows' in Newcastle upon Sundays and at St. Nicholas upon Thursdays there, but that you likewise suffer him to enjoy and receive all profits, commodities, and advantages whatsoever thereunto belonging in as ample a manner as Dr. Jenison enjoyed the same, and that Dr. Wishart shall hold and exercise that charge during the suspension of the said Dr. Jenison. [*Copy. 1 p.*]

Oct. 9.
Windsor.

54. James Marquis of Hamilton to Sec. Windebank. My lying in his Majesty's chamber, he being in bed and I called for, will plead excuse for the shortness of this letter and my not entering into particulars. I am commanded to let you know that if upon

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Friday next Rook's petition be presented to the Council with his Majesty's reference thereupon, you signify to the Lords that it is his pleasure they forbear any proceeding thereupon till his coming to town, at which time he will declare his further pleasure. [*Seal with arms.* 1 p.]

Oct. 9.
Windsor,
11 o'clock at
night.

55. Algernon Earl of Northumberland to Sec. Windebank. Last night his Majesty, understanding by some advertisements from the Downs that the Hollanders are preparing to give a present assault upon the Spaniards in that place, commanded me to let the Admiral of Holland know by Pennington that at his Majesty's return to London he was resolved to limit a short time for both fleets to depart the Road, and therefore expects in the meantime that no hostile act be committed by them. His Majesty's pleasure is that you give like notice of this resolution to the States' ambassador, that he may do all he can to prevent the inconveniences that must necessarily follow if anything should be there attempted. The King's resolutions have hitherto been so uncertain that I much doubt it will now hardly be in his power to hinder both the dishonour and loss which he is likely to suffer. I wish a good end to this business, and myself some means of serving you. [$\frac{3}{4}$ p.]

Oct. 9. 56. Copy of the same. [$\frac{3}{4}$ p.]

Oct. 9.
Windsor.

57. Endymion Porter to Sec. Windebank. At nine o'clock last night I received your letter with one enclosed from Don Alonso de Cardenas, and acquainted his Majesty with the contents of it. He commanded me to let you know that he would have you make answer to the resident, if he require it, that the King has shewed his care of the Spanish fleet with all the kindness that could be expected, and that if the wind set where it does it will be impossible for his ships to come to protect them against the Hollander, but his Majesty will do the best he can. Howsoever he would have the Spaniards prepare themselves for the worst, for they cannot imagine but that he will be prest to limit a time for their abode in his port; in the meantime he will keep them from hostility if it be possible, and his Majesty has given the best order he can for that purpose. You can also inform them how great a prejudice it would be to the King if they should fight in the harbour, for if any ships should miscarry and be sunk there it would be the ruin of the best harbour in the kingdom. It seems the Spaniards regard nothing but their own accommodation, nor will they look about them until the King assign them a day to set sail, the which will be required from him; and when they are out of the port they must trust to their own force, for his Majesty will protect them no farther. As for their making any proposition, I think they are such dull, stupefied souls that they think of nothing, and when I acquainted his Majesty with their negligence in that particular he told me that the resident was "a silly, ignorant, odd fellow." [1 p.]

Oct. 9. 58. Copy of the same. [1 p.]

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Oct. 9.
The Tower.

59. Sir William Balfour, Lieutenant of the Tower, to Nicholas. I lately received a letter from the Council concerning arrear of ship-money for 1637 in the Tower liberty, as if through my remissness and negligence the same had not been collected ere now. For clearing whereof I desire you to represent to the Lords from me that the said liberty has been and still is highly rated, chiefly in consideration of 40 yeomen-warders serving there, who are all of them subsidy men and are ordinarily rated in these assessments at 44s. a man, which comes to 88*l.* for their share. The rest of the assessment is laid upon the liberty, which hardly is collected from them, being a company of poor men who mostly live by their labour, and the warders being exempt from this collection by order from the Lords, the inhabitants question if they in reason should be charged to pay the warders' share and their own too, their own share being almost double as great as any of the adjoining hamlets where many rich men inhabit. Yet out of my zeal for his Majesty's service I did for that year 1637 lay 48*l.* of the 88*l.* which was the warders' share upon the inhabitants, which with great grumbling and much ado was collected save 10*l.* or 12*l.*, and this besides my own share of 3*l.* or 4*l.* I made up out of my own purse; so that the 142*l.* that year appointed both for the warders and inhabitants was all paid, save 40*l.* now called for, which I fear cannot be had or expected from such poor men as those of this liberty, they having already strained themselves to their uttermost, and how this can be remedied I leave to their Lordships' consideration. [*Endorsed by Nicholas*: "Order to be taken that next year when ship-money shall be required the sheriff of Middlesex do not levy so much on the Tower liberty by 40*l.* as was laid in 1637." *Seal with arms.* 1 p.]

Oct. 10.

60. Sec. Windebank to Theophilus Earl of Suffolk, Lord Warden of the Cinque Ports. His Majesty considering that if the Holland fleet should commit any act of hostility upon the Spaniards in the Downs, whereby the latter may be driven on shore for preservation of their lives, and so finding themselves in want of victuals and lodging may perhaps become unruly and disorderly, as soldiers in distress and necessity use for the most part to be, to the prejudice and damnifying of his Majesty's subjects, his Majesty commanded me to signify his pleasure to you that as well you as the deputy-lieutenants of Kent, in such case of necessity, shall cause provision to be made for the billeting of the Spaniards as strangers, in places most convenient, in such sort as for their money they may have all necessaries of meat, drink, and lodging, and that it may appear to all the world how careful his Majesty is, not only for the good of his own subjects in preventing disorders, but likewise of the subjects of his friends and allies in such cases of extremity. Thanks for your despatch wherein you give account of the Spanish admiral's well accepting of his Majesty's offer concerning the sick soldiers, and of the disposing of them another way. [*Copy in Windebank's handwriting.* 1 p.]

Oct. 10.

61. Another copy of the same. [$\frac{3}{4}$ p.]

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Oct. 10.
Windsor.

62. Endymion Porter to Sec. Windebank. His Majesty having considered what may happen if the Hollanders should in a hostile manner fall upon the Spaniards in the Downs and compel them to run ashore, has commanded Porter to request Windebank to signify to the Lord Warden of the Cinque Ports and the deputy-lieutenants of Kent to provide for the billeting of such Spaniards as may come ashore, as detailed in the preceding letter before calendered. [1 p.]

Oct. 10.

63. Copy of the same. [1½ p.]

Oct. 10.

64. [Sec. Windebank] to Bishop Mainwaring of St. David's. I understand there is a difference now depending before you concerning the title of an advowson wherein the Earl of Worcester claims a right. You well know, and I can testify, how willing his Majesty formerly was that the Earl's right should be maintained, though it then concerned his Majesty in particular. And as for this, it being, as I am informed, but a vexatious course of the adverse party, I doubt not but you will consider of the quality of my Lord of Worcester, and the great estimation the King has of him, and proceed in so fair and equal a way as that by your justice his Lordship may have his right preserved without troubling his Majesty, who certainly will be no less careful of him in this business than he was in the former, which you may intimate to the adverse party. Herein you will very much oblige my Lord of Worcester. [Draft. ¾ p.]

Oct. 11.

65. Petition of John Stripe, merchant, and others to the Council. There is a general plenty of all sorts of grain this year throughout the kingdom, and particularly in the parts of Yorkshire in and about Hatfield Chase, where it is much increased by the draining of the level, by means whereof, and of their old stores yet remaining, the prices are so low that the husbandmen and farmers are unable to pay their rents and subsist, unless they may sell some quantities to be transported into the parts beyond the seas, as in such cases has heretofore been usual. Pray license to export from Hull 200 lasts of wheat, 100 lasts of oats, 300 lasts of rye, and 200 lasts of barley, being quantities that may be well spared out of those parts. [½ p.] *Annexed,*

65. I. *Richard Bradforth, mayor, and others of Doncaster to the Council. Certify that at the last market held on the 5th inst., best wheat was sold at 25s. the quarter, and the meanest for 18s. 4d.; rye 16s., and so down to 14s. according to goodness; oats 6s. 8d. the quarter, and so down to 5s. Doncaster, 11th October 1639. [1 p.]*

Oct. 11.

Deal Castle,
10 a.m.

66. Theophilus Earl of Suffolk to Sec. Windebank. At this instant the Spaniards and the Hollanders are in a bloody fight in the Downs. The Admiral of Holland began the fight. There are six Lubeckers already run ashore, and it is probable that more will follow. A few hours more will decide the particulars, and then you shall hear further from me. [½ p.]

Oct. 11.

67. Copy of the same. [½ p.]

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Oct. 11.
Dover, 3 p.m.

68. Theophilus Earl of Suffolk to Sec. Windebank. Since my last letter I stayed at the Downs until such time as the Spaniards and Hollanders being under sail made their way from the Downs westward, fighting as they passed. There are some ships come on shore near the castles in the Downs, and I saw two of the Spanish fleet fired close under Walmer Castle, and those are all that have yet suffered by that way. This is all that I can say touching this fight, saving that his Majesty's ships lie in the Downs safely, not having sustained, for ought I know or can be informed, any harm. As for your letter of the 10th inst., which I received this morning, I will be careful to follow the directions therein. There are many Spaniards already come ashore, for whose accommodation I have given order.

[*Seal with arms.* $\frac{3}{4}$ p.]

Oct. 11. 69. Copy of the same. [$\frac{3}{4}$ p.]

Oct. 11.
Dover.

70. Theophilus Earl of Suffolk to Sec. Windebank. Holding it part of my duty, being here, to give you all the advertisements that come to my knowledge, I am now thereby to give you to understand that since the writing of my two last letters the Hollanders which followed the Spanish fleet have possessed themselves of two of the Spanish ships which, as it seems by the relation I have, lagged behind the rest, not being able to keep sail with them, and it is the opinion of most understanding men that they are like still to take more, in this way of their falling off [from] their company. P.S.—There are already numbers of men landed both at the Downs and Dover, and more will daily come ashore. In the meantime I use my best endeavour for their accommodation, but I fear it will be burthensome to the country unless some order be taken for defraying their charges by the Spaniard. [*Copy.* $\frac{3}{4}$ p.]

Oct. 11.

71. Lord Treasurer Juxon and Francis Lord Cottington to Sir Robert Pye, Auditor of the Exchequer, Sir Edward Wardour, Clerk of the Pells, and the rest of the officers whom it may concern. Whereas, by his letters of privy seal dated the 31st July 1639, his Majesty was pleased for supportation of the hospital of King James founded in the Charter House, Middlesex, to pardon and release the governors of that hospital and their successors the sum of 500*l.*, compounded and agreed with us and other the Commissioners to be paid for disafforestation of their manors and lordships of Southminster, Norton *alias* Cold Norton, Stambridge Magna, and other manors and lands in the said privy seal expressed, commanding talleys to be levied at the receipt of the Exchequer for discharge of the said governors. These are therefore to require you to levy the talleys according to the tenor of the above-mentioned privy seal. [*Copy.* 1 p.]

Oct. 11.
Beaumaris.

72. Robert Chambers to Francis Lord Cottington. The opportunity of this conveyance gives me occasion to give you notice of our safe arrival at Holyhead on Wednesday last, from whence we are now hasting homeward with all convenient speed. The great

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business is now concluded, and I hope I may safely say so settled, according to the trust reposed in the Commissioners, that we may hope for a gracious acceptance from his Majesty, the advance of whose service has been their only aim, and I may add your honor has been much regarded. I am not ignorant but that a business of this nature, transacted at this distance, may admit of various reports from persons variously affected to it; thus much I dare assure you, there is no certainty at all in any report concerning the sum to which this revenue is advanced but what proceeds from the Commissioners or myself, to whom it is only known, and whether it be more or less than is reported, a fair account will be given of it upon our return. [*Seal with arms.* 1 p.]

Oct. 11.
Sion.

73. Thomas Smith to Sir John Pennington. My Lord Admiral having granted a safe conduct to the ship *Four Sisters* for freeing the men from the press, the owners are fearful she will be staid when she comes into the Downs; and though I have assured them the contrary, in regard she is laden, yet they will not be satisfied without a letter from me to you, which I could not deny. I entreat you not to suffer her to receive any interruption when she comes. [$\frac{3}{4}$ p.]

Oct. 11.

74. Relation by Sir John Pennington, Admiral, Sir Henry Mainwaring, Henry Stradling, Richard Fielding, Edward Popham, Richard Slingsby, John Hall, William Brown, Peter White, James Bamford, William Nicholls, John Swanton, Philip Johnson, Thomas Rockwell, and John Rochester, captains and masters of the fleet for guard of the Narrow Seas, concerning the beginning of the fight in the Downs between the Spaniards and Hollanders. The Spaniards being berthed altogether in the best of the road, the Hollanders lying without them to the eastward and northward, and the King's ships to the southward, about eight in the morning, the wind being N.W., the Hollanders were all of a sudden under sail; whereupon our admiral called a council. We were no sooner aboard with him but we heard some shot betwixt the fleets, but which began we could not certainly know by reason of the fog, but as some of our men affirm and by circumstances it is probable it was the Spaniards, yet we conceive the Hollanders gave the first occasion by weighing with their whole fleet, endeavouring to get to the windward, and coming so near that the Spaniards might justly suspect their intentions to board them with their fire ships. Our ships being all loose, we had no time to advise long, being at that time the last quarter flood. We all agreed that being the leewardmost ships of all, by reason of the fog, the thickness of the ships together, and the smoke, we could neither avoid being entangled, to a great disadvantage, betwixt the fleets, nor the danger of the fire-ships, nor yet assist the Spaniards, unless we stood to the northward to get the weather-gage of them, which we did; at which time the Holland admiral sent a captain aboard with a letter [*see p. 28, No. 80*], which being in Dutch we understood not, but the captain in the name of his admiral made a protestation

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that they had not broken the peace, but the Spaniards who began with them. The fog was so thick that the ships could not see one another, so that in an hour's time we heard few or no shots, neither were there very many shots in all. The weather clearing up a little, we could see that we had got the weather-gage of them. We stood in again with the Hollanders, and shot many guns from all our ships, shooting many of them through, but they did not return one shot at us. We continued chasing and shooting at them till they were all beyond the South Foreland, neither did they put out their flags till they were all out of the Downs and a good way off, and then seeing some Hollanders to the northward and eastward, we tacked and stood into the Downs again to prevent them from fetching [off] those Spanish ships which were run on shore, being to the number of 24, of which one was the vice-admiral, who did all willingly run on shore, save some which were forced to avoid the fire-ships which burnt out by them. In regard that the Spanish fleet was so much disabled by the loss of half their ships at the first onset and the rest flying, we did not think fit to pursue them any further, neither do we conceive that if his Majesty had at this time a force equal to the Hollanders it had been possible to prevent this action, seeing we were not to begin with them, whereby they might take their own time and best opportunity of wind and tide most for their advantage. This is a true relation, which all we captains and masters of his Majesty's fleet are ready to testify upon our oaths. As we were signing this, we made stay of two Hollanders who had run ashore in the fog between the two castles, which made many shots at them, but which the Hollanders never returned. But considering that it is probable that the Holland fleet will speedily come in again, and that we shall not be able to keep these by force if they require them, which we conceive will be a greater affront to his Majesty than what is passed, if they should take them from us, we have therefore thought it convenient at this time to dismiss them. [*Copy by Sec. Windebank. The original appears by the Earl of Northumberland's letter of the 16th inst. [see p. 41, No. 30] to have been sent by Sir John to the Earl. 2 pp.*]

Oct. 11. 75 and 76. Two other copies of the same. [$1\frac{1}{2}$ p. and $2\frac{1}{2}$ pp.]

Oct. 11. 77. Sir John Pennington to [Algernon Earl of Northumberland].
 The Unicorn, By your letter of the 8th inst. you have more clearly satisfied
 in the Downs. us all what we are to do and not to do, which if you had done before we had not given you the last trouble, though it be the very same we had concluded upon amongst ourselves before the receipt of yours, and resolved to make good to the last man. And whereas it seems my honest and plain meaning was mistaken by some, though truly construed by you, for which I thank you, for my intent, as I then wrote, was only to gain time and divert the [Hollanders] from what I was credibly informed they had concluded presently to put in execution, and to assure them that within three days there should be a certain time prefixed when they should depart or else liberty

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for them to take their course. If it were not so fully expressed as I intended, I beseech you to impute it to my weakness or the continual trouble I am in by a multitude of company and other business. I have sent the message you commanded me to the Holland admiral, but he has returned me no assurance that he will forbear putting his design in execution. I have also sent to the Spanish admiral, who now returns me a better answer than ever he did before, for whereas he ever formerly sent me word he was in the King's road, and therefore expected I should protect him, his answer now is that he will stick close to it if I will assist him, which we are resolved to do to the uttermost of our powers. And I conceive the Holland admiral may have received some message from their ambassador, whose son was aboard of him yesterday, for they had given [battle] on the day before, but that it fell flat calm and a great fog, but intended to do it the first opportunity, which they omitted yesterday. The 500 barrels of powder are come aboard the Spanish admiral, and he has had likewise 30 sloops more come to him from Dunkirk with men and provisions, and one taken in returning wherein were 60 Spanish soldiers. The Second Whelp is not yet come to us, at which I much marvel, in regard of the continual fair weather which we have, whereby they may stop and tide it from any place. [*Copy in Sec. Windebank's handwriting.* 1 $\frac{3}{4}$ p.]

Oct. 11. 78. Another copy of the same. [1 $\frac{3}{4}$ p.]

Oct. 11. 79. Portion of the wrapper of a letter addressed to Sir John Pennington on board the Unicorn in the Downs from Algernon Earl of Northumberland, and dated "Sion, 11th Oct. 1639; Friday, about five in the morning," and which by the last post-mark appears to have reached "Canterbury past six o'clock at night" on the 12th. [$\frac{1}{2}$ p.]

Oct. $\frac{11}{2}$.
The Amelia,
in the Downs.

80. Martin Harpenson Tromp, Admiral of the Holland Fleet, to Sir John Pennington. It has pleased you oftentimes to tell us by your captains, that we should have a care not to use any hostility to our enemies, for that they had order to fall upon those that should shoot first while in this road. On the $\frac{29\text{th Sept.}}{9\text{th Oct.}}$ one of the Spanish ships, the sun being more than half an hour high, shot against me and my vice-admiral and other captains and officers through the foresail of our pinnace, wherein we were sailing by the Spanish fleet, trusting ourselves upon the freedom of his Majesty's road, which shot the Spaniard did not deny before you, but excused himself that it was done by night, fearing that the pinnace was a fire-ship, which you may very well know was an unjust excuse, it being our pinnace which when passing by your ship gave three pieces of ordnance. Mr. White told us that you in person gave command that our pinnace should be answered with one piece of ordnance, and at that time our officers, having been a reasonable

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time aboard our pinnace, came aboard our ships. You yourself can testify at what time the pinnace saluted you with three pieces, and the shot was fired against us above an hour before that salutation, whereby it appears that the Spaniards have violated his Majesty's road; besides a true report has been brought to you. What passed on the $\frac{4}{14}$ th inst. you know, when we saluting the Palsgrave, one of the Spaniards shot one of our men in Capt. Balke's ship dead with a musket, whereby the road was twice by them infringed; therefore we beseech you to assist us to fight [and] beat the Spaniards according to his Majesty's order. If you will not follow his order by helping us, which we trust you will, [we expect] at least that you will let us go on against our enemy and fight with him, otherwise you will give us occasion to complain to all kings and potentates of the injury done to us by you upon this our reasonable request. Hereupon certifying unto you upon our promise that we, for the reasons aforesaid and by order from our masters, are resolved here to fall upon our enemies and to defend ourselves against those that shall resist us, and had rather die as soldiers with his Majesty's leave in clearing his Majesty's road than that we should not fulfil our masters' order. Hoping that it will be acceptable to his Majesty, and if his Majesty should take any distaste we hope he will graciously forgive us. [Copy by Sec. Windebank. Endorsed, "Translated out of the Dutch." 1 $\frac{3}{4}$ p.]

Oct. $\frac{11}{1}$. 81. Another copy of the same. [1 $\frac{3}{4}$ p.]

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Oct. 12. Presentation of Robert Rich, clerk to the vicarage of Gedney in the diocese of Lincoln, now void by the free resignation of Dr. Weames, the last incumbent, and in his Majesty's gift *pleno jure*. [Docquet.]

Oct. 12. Commission to Solicitor-General Littleton and others to examine witnesses upon oath touching differences betwixt Edward Deacon and William Clowberry, and other merchants of London. [Docquet.]

Oct. 12. 1. Theophilus Collins, Portreeve of Yeovil, to the Council. According to your directions of the 12th August I have caused enquiry to be made concerning 3*l*. in arrear for ship-money for 1637 (Joseph Haine, deceased, being then portreeve), and the money to be demanded of certain persons named in the enclosed, who refuse to pay the same. I crave your further directions what course to take for the collecting and levying thereof. [Seal with device. 1 p.] Enclosed,

1. 1. Note of persons in arrear of ship-money for 1637 in the borough of Yeovil, Joseph Haine being at that time portreeve. Signed by Collins and Haine. [$\frac{3}{4}$ p.]

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Oct. 12. 2. Bishop Hall, of Exeter, to Archbishop Laud. I was not only
Exeter Palace. glad, but almost proud of your acceptance of my poor but bold
motion; which that it found favour in his Majesty's eyes upon your
recommendation was as much above my hopes as above the pos-
sibility of my thankfulness. I humbly rest on the grounds of his
Majesty's most wise and just resolution, although that which I pro-
pounded was not in any aim at the reclamation of those stiff spirits,
but at their conviction and shaming, together with the satisfaction
and settling of any wavering minds at home or abroad. But since
it has pleased his Majesty to lay aside that thought, I am most
submissively silent. As for that motion (which, coming from your
hand, is no less in my construction than a command) of my under-
taking this great task of writing some satisfactory discourse on this
subject, I beseech you to give me leave to say it doth too much
over-value me; if you did but know my great weakness so well as I
know my little strength you would not have singled me out for so
high and noble an undertaking. I confess in a holy zeal to the
cause no man shall outstrip me; in abilities, too many; yet since
it has pleased you to honour me so far as to think me capable and
worthy of such an employment, I shall most gladly (without pre-
judice to any more able pens) endeavour my best this way; but
would you give me leave to suggest another motion, I think I
should intimate that which would not a little advance the success
of this great service. Single labours will be easily passed over with
neglect; what will the vulgar be more apt to say than, "This is
but one doctor's judgment! and *Vis unita fortior*." Might it
therefore please you to single out and empanel a whole jury of
learned bishops and divines to join together on this subject, it could
not choose but sway much with the world. And, since I have
taken the boldness to move so far, will you give me leave, out of
the zealous intention of my thoughts upon the speed of this notable
service, to propound some further speciality:—If, therefore, in Ire-
land, the Lord Primate, the Bishop of Kilmore, the Bishop of Down
and Connor—men, as you know, of singular note in the Church;
here, at home, the Bishops of Durham and Salisbury (and, if you
shall think me worthy to come in the arriere of these great and
famous prelates, I shall not fail of my best), with them the pro-
fessors and some other eminent doctors in the name of both Univer-
sities, and three or four of the bishops and doctors of Scotland, shall
be enjoined by you to express their judgments fully concerning these
two heads of episcopacy and lay presbytery, and to print them
together, it will be a work that will carry in it such authority and
satisfaction as will give great contentment to the world and carry
in it a strong rebuke of the adversaries. If your leisure and reso-
lution should so lead you as to be seen in the head of this learned
squadron, the work would bear not much less sway than if it were
a synodal act. Neither would I wish that each of these should
write a volume of this matter, but succinctly (though fully and
clearly) declare themselves in these particulars, with such evidence

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of scripture, antiquity, reason as may most convince; but whether this should be done in thesi or in hypothesi, whether in way of parænesis, or apology or reproof, I submit to your judgment and direction. P.S.—After I had sent away my letters of complaint concerning Cox the man came to me, and upon our second and third conference began to relent, and finding that I had sent up his sermon to you, resolved to wait voluntarily upon you, so as I hope you shall at once hear of his offence and submission. If so, a free and public recantation would do more good here than his exorbitance has done hurt; he has been *usque ad invidiam*, conformable, and is a sufficient scholar, and of unblamable conversation otherwise. [*Endorsed by Archbishop Laud as "Received Oct. 16, 1639. The Bishop of Exeter. That more than one should write in defence of episcopacy against the Scots." Seal with arms. 2½ pp.*]

Oct. 12.
Dover.

3. Theophilus Earl of Suffolk to Sec. Windebank. I know that you hear all particulars from the Downs by Sir John Pennington, what ships are fired and what run aground, wherefore of that I shall not need to write; but of that which has happened towards the west from Dover may happily by this way come best to your knowledge, and these are the particulars which I have received from Nicholas Roberts, a sea captain, whom I have employed on purpose to gain true intelligence, (*viz.*) two of the Spaniards, being two leagues from Dover towards Folkestone westward, were taken by 15 sail of Hollanders, and another Spanish ship was, within a league of the same place, fired and blown up. It is further reported that five more of the Spaniards have blown up themselves, whereof it is thought the admiral is one. Of the Spaniards taken, two Holland men-of-war have brought one within three leagues of Dover, and there yet ride with her. It is verily believed by all understanding mariners that the fight is ended, and that the most part of the Spanish fleet, besides those aground in the Downs, are fired, taken, or blown up themselves. [*From the cover it would appear that this letter was despatched from Dover on the 12th of October, half an hour after 9 in the morning, received at Canterbury past 1 in the afternoon, at Sittingbourne past 3 in the afternoon, Rochester almost 6 at night, Dartford past 10 at night, and received by Windebank on the 13th, in the morning. Seals with arms. ¾ p.*]

[Oct. 12?]

4. News letter containing a continuation of the relation of the [engagement between the] Spanish and Holland fleets. Since the last news there came intelligence that it was not the Spanish admiral, Don Antonio de Ocquendo, who blew up his ship, but Don Andrea de Castro, the admiral of Portugal, which may be pardoned as an easy and small mistake in the relator. This is certain, that the greater part of the Spanish fleet is ruined. The fight was performed bravely on both sides, and to understanding men seemed rather too desperately than discreetly managed. But Martin Harpenson Tromp, the Dutch admiral, a man advanced to that honour,

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not for noblesse of birth, but merit, whose boldness in assailing ended the controversy, himself still surviving in health and glory of his victory, and lying now at anchor in the Downs, where at his first arrival, as a salute to his Majesty's fleet, with the sea compliment of striking sail in token of acknowledgment that his Majesty was sovereign of these his seas as well as the land, he shot off 19 pieces of ordnance. Don Antonio de Ocquendo, whom the Spaniards called their general, and not admiral, is said, with four other ships, to have got under the fort at Dunkirk, for, though pursued by eight States men-of-war, having his sails filled with wind, they could not reach to board him, nor make such use of their fire ships as they might have done had he lain at anchor or in harbour. Some of the Spaniards ran ashore out of the Spanish ships which were driven aground by the Hollanders, rather expecting safety by land than sea, though in their floating houses they wanted nothing but hearts to defend them, and upon land, being bare and naked, were subject to all injuries. While I am relating the sea business, I must not forget what chanced on land; as there is some good to be got by good neighbours, so doubtless there is much evil by evil ones: as if two houses, though on sundry sides of the street, be on fire, the near dwellers cannot be secure. Deal, *Notus Cæsareis locus trophæis*, (as Mr. Camden has it, out of Leland's *Cygnea Cantio*, a town once unfortified, but now fenced with a castle, by the care and cost of Henry VIII.,) stood in some danger by the shot at random which flew from the two armadas. A bullet fell into a stable and struck off a horse's head whilst eating his meat in the manger, but the loss was no more; the people were more affrighted than hurt; and had not some been more discreet, then the vulgar would have left the town for the present, and secured themselves elsewhere. And yet the strand was not secure; the shot reached thither too; and a minister, whose calling might have restrained his curiosity, riding upon the shore to see the sea fight, had his horse killed under him by a roving shot, though his person was preserved. This is all I can inform you of for the present; each hour produces more; and as this relator promises his friend, we promise the readers that upon our next certain intelligence they shall have a further and a fuller information. [4 pp.]

[Oct. 12.] 5. Copy of the same. [1½ p.]

Oct. 12. 6. Account by Sir William Russell of ship-money for 1638. Total received, 41,722*l.* 12*s.* 9*d.*; in arrear, 28,027*l.* 7*s.* 3*d.* Mem.—Since the last certificate, 265*l.* 5*s.* 4*d.* of the 1637 arrears has been paid. [1 p.]

Oct. 12. 7. Account of ship-money for 1638 levied and remaining in the hands of the sheriffs, total 1,921*l.*, making, with the 41,722*l.* paid to Sir William Russell, 43,643*l.* Arrears due, 1635 = 4,536*l.*; 1636 = 7,181*l.*; 1637 = 20,194*l.*; 1638 = 26,027*l.* [1 p.]

Oct. 13. 8. Algernon Earl of Northumberland to Sir John Pennington.
Queen Street. The report of the conflict between the Spaniards and the Hollanders

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is so various, some saying one thing, some another, that we know not what to give credit to. Capt. Hall saith, and likewise your relation, that there are 24 Spanish ships run on ground; others speak but of half that number; the captain likewise says that there were four or five ships burnt and sunk; but others that were upon the place say there was no such thing. Wherefore, for resolution of these doubts, I would have you speedily to acquaint yourself with the very truth of those accidents, and to certify the same unto me, as also what else is come to your knowledge concerning those two fleets. His Majesty, being informed that his own subjects in those parts have pillaged such Spanish ships as lie there abandoned, is much displeased at it, and commands that no person whatsoever presume to offer any injury to them, or anything therein, and that you take the best care you can to protect them with all your power, not only from the Hollanders, if any should return to molest them, but likewise from such as shall come from the shore to abuse them, of which his Majesty's pleasure you are to take especial notice, and to put the same into execution accordingly. The 10 ships are upon their way, making all the haste they can to be with you, and I doubt not but some of them will be in the Downs before these come to your hands. Their captains are all furnished with instructions to obey your commands, and you are to dispose of them as occasion shall require for his Majesty's service. [P.S. *in the Earl's own handwriting.*]—Divers of the Spaniards that are come ashore at Deal desire to transport themselves for Dunkirk, and to that purpose have been humble suitors to his Majesty for convoy, which his Majesty has been pleased to grant; therefore, when they come to demand convoy of you, the King's pleasure is that you give it to them. You shall very shortly hear further from me by Capt. Hall. [2¼ pp.]

Oct. 13. 9. Theophilus Earl of Suffolk to Sec. Windebank. In pursuit of
Dover, 5 p.m. my former way, in giving you advertisement of the fortunes of the Spanish fleet which to themselves have unhappily fallen out, I am now again to let you know that the whole fleet of the Hollanders has returned from the chase, and now lies at this instant in Dover Road before the castle, with purpose to remove thence as the tide and wind serve. I sent one on board to learn the particulars from them of the Spaniards' defeat, and, in short, thus it is, that they are all absolutely defeated: some taken, some fired, some sunk, and the rest driven ashore upon the French coast; to conclude, the Hollanders made answer to those I sent that the whole Spanish fleet was absolutely overthrown. [¾ p.]

Oct. 13. 10. Copy of the same. [¾ p.]

Oct. 13. 11. Sir John Manwood to Theophilus Earl of Suffolk. This
Deal Castle. morning I made an accord with Don Andreas de Castro, the copies whereof I send you, and, according to my engagement, I had furnished them with boats, so that the most part of his men were embarked, but the Hollanders' fleet coming in this evening, and

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riding at anchor before Walmer Castle, I find they get almost as fast ashore as they went aboard, so that I know not what to do more for the present but to desire you to send a speedy order to Sandwich, to send one of their companies hither to remain here upon guard till the next morning after, and that they be here by noon, as likewise that the other company may relieve them upon the same terms, and that the mayor may be here to assist me. Before these two watches are past I hope you will procure some further order from court, both for assistance and further direction, for I do not find the county too forward to assist without order from the Lord Lieutenant or his deputies. I beseech you to send me your order touching giving the Spaniards quarters, if you approve of it, for upon my conscience they have no inclination to stir from hence, neither indeed can they well. [1 p.] *Enclosed,*

11. I. *Don Andreas de Castro, General of the Armada, [to Sir John Manwood.] Promises to embark the Spanish soldiers now ashore at Dover. [Copy, in French. ½ p.] Annexed,*

11. II. *Reply of Sir John Manwood, consenting to supply small boats for the purpose above mentioned. [Copy in French. ½ p.]*

Oct. 13. 12. Copy of the above letter. [$\frac{3}{4}$ p.]

Oct. 14.
Dover.

13. Theophilus Earl of Suffolk to Sec. Windebank. The posts are so continually employed at this time, that I am willing to spare their pains where the occasion doth not urgently require it, and therefore have made use of the bearer for the conveyance of this my letter to you, whereby you shall receive some private observations of my own, tending to his Majesty's service, for I hold it my part to let nothing fall to the ground that has a face looking that way. I find in the people of these parts a general hatred towards the Spaniards, and by the contrary, as much good will to the Hollanders. I likewise perceive that the Spaniards are displeased, for I having some understanding of the Spanish language, and having occasion to go much up and down in my coach from place to place in this town, I hear them discourse one to another of their misfortunes, saying that it could never have happened unto them unless the English had connived and been glad of the Hollanders' victory, bursting forth into great rodomontades that the King of Spain would revenge himself upon the English and stay the merchants' ships which are in Spain. This I thought fit as a friend to acquaint you withal, that you may thereby make what use thereof you shall think fittest, for albeit it be no matter of public advertisement, yet howsoever there can no loss come thereof, but of my pains in the writing and yours in the reading. [2 pp.]

Oct. 14. 14. Copy of the same. [1 p.]

Oct. 14.
Dover.

15. The same to the same. You may haply wonder to receive so many letters from me, one after the other, and at this time. I should awhile have passed by your trouble, had there not this day

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happened an occasion, as I conceive, of some importance and trenching upon his Majesty's honour. One of the Spanish gallions was driven for his relief by the Hollanders close to the shore under the castle of Dover, whereupon I caused as many pieces to be mounted as our weak means would give me leave, both in the castle and bulwark underneath it, and presently the Spanish ship shot off a piece for help and the Hollanders presently made towards him. Then the castle shot by my command, being present, and struck a fire-ship that was coming to lay hold of the Spaniard, so that the fire-ship missed to lay hold and yet was burnt herself. The castle's shooting as often as they could kept off the Hollanders for a time, and thus we continued shooting and the Hollanders sometimes coming on and sometimes falling off all the day, until the night coming on we knew no longer at what to shoot, and they taking the advantage of the night towed the Spanish ship off and carried her away very near the shore and in the face of the King's castle, which, as I conceive, was a careless part of what interpretation might be made thereof, and out of my duty I have thought it my part to acquaint you therewith. I have caused Sir John Manwood to lie at Deal Castle, and there to take the best order he can concerning the Spaniards come on shore, and having received this letter from him [see p. 33, No. 11], for the better saving you further trouble I have sent it enclosed, desiring you to move his Majesty for some present order therein, for at Dover, where I myself am, the same inconvenience lies upon the town, and I guess the number at Dover and Deal to be about 2,000 poor and miserable people as ever I beheld, for the most part without any money at all, insomuch as the town of Dover would not have received them, if I had not passed my word to see them satisfied for their victuals and lodging. [1 p.]

Oct. 14.
Surfleet.

16. George Little to Sec. Windebank. Since the time I received order from you for the letting of your grounds in the Great Level in Lincolnshire, undertaken by the Earl of Lindsey, I have endeavoured to advance them to the highest rates I could for your benefit, but the country people are very backward in hiring any fengrounds, and as yet very little or none is let, nor any benefit made of most of it, excepting such places as received some benefit of water to fence them, because the work was not perfected. Yet at this present I can let all your ground at good rates, considering the fall of ingrounds already with us in the country, and the rates at which the Lord Keeper and Lord Cottington have already let [theirs] for in the same fens where your ground lies, which is in every respect answerable to yours in goodness, viz., your pastures in Pointon Fen at 9s. per acre, which is 12*d.* the acre more than the [lands of those] lords have let for, and the same rate for your pasture in Quadring Fen. There are two tenants for Pointon Fen, namely Mr. Connie, a gentleman of quality, and Thomas Burton, a neighbour of good ability, both intending to repair to you this term. Connie would hire Quadring Fen also. Thomas Doughtiman, a very sufficient

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man, would become tenant for your ground in Bicker Fen at 10s. per acre, and to have a lease for 21 years, and as for your ground in Howell Fen, I make no doubt but to let it for 10s. per acre. Now if it please you to accept of these rates and tenants, and that I may receive answer of your acceptance, I will immediately acquaint the parties. [1 p.]

Oct. 14.

17. Certificate of John Hooker, justice of peace for Westminster, that William, Alexander and Robert Steward, and John Dilgardno, had this day taken the oath of allegiance before him. [$\frac{1}{2}$ p.]

Oct. 15.

Queen Street.

18. Algernon Earl of Northumberland to Sir John Pennington. His Majesty finding by your letters of the 14th inst. that a great part of the Holland fleet is returned into the Downs, and having considered the answer of the Admiral of Holland given to those captains you sent to them, that he hopes the destroying of the rest of their enemies will not be displeasing to his Majesty, has thereby cause to believe they have a purpose to commit some second insolency in the like kind upon those Spanish ships now in his Majesty's road and protection, and has therefore commanded me to signify his pleasure to you that forthwith upon receipt hereof you let the said Admiral know in his Majesty's name that since he had not the patience to forbear assaulting the Spaniards for a few days, notwithstanding the assurances given by his Majesty that he would prefix a short time for the departure of both fleets out of the road, his Majesty will not suffer a second attempt to be made upon those Spanish ships now under his protection, and that for prevention thereof and of further disorders, his Majesty's pleasure is that the said Admiral, together with his whole fleet, do immediately depart out of that road, his Majesty being resolved, until he shall have received satisfaction for the insolency already committed, not to allow them the liberty of his ports or roads. And if they shall refuse to yield obedience to this his Majesty's commandment, then you shall endeavour with all the power and strength you can make to force them out of that place. But this you are not to put in execution until the ten ships that went from hence be come unto you, neither then are you to send this message to the Holland admiral, nor to discover anything whereby he may suspect your purpose till you be all fitted and ready to give on in case he refuse to conform to what his Majesty requires. You are to give convoy to such Spaniards as are now in the Downs and desire to go to Dunkirk in English vessels, which they intend to hire for their transportation. Of all which you must not fail, as you will answer the contrary at your uttermost peril. [$2\frac{1}{2}$ pp.]

Oct. 15.

19. Draft of a portion of the above letter in the handwriting of Sec. Windebank. [$1\frac{3}{4}$ p.]

Oct. 15.

Queen Street.

20. Thomas Smith to Sir John Pennington. As in all other actions where there are many standers by there will be as many censurers, so in the business lately passed in the Downs your

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demeanour, especially as it was subjected to the view of many, so hath it suffered censure and judgment of divers, and that not with the most gentle and impartial note, but otherwise. For some, whom I could name to you and may peradventure hereafter, tax you, and that to my Lord. First, that you lay not always by the broadside of the Holland admiral, whereby they say you might have prevented his weighing; but I have beaten them out of that foolish opinion. Secondly, they blame you for not riding nearer when the attempt was beginning, that so you might have been ready to have met with the Hollanders as they came near the Spaniards, and so you might have given the Spaniards courage, and then those 22 would not have run ashore. Thirdly, that when you were in the breach of the Hollanders you did not prosecute them as you might, but returned suddenly, which encouraged the enemy pursuing and disheartened the flyer. Fourthly and lastly, that you omitted to seize upon the two Hollanders that were aground and had got off and were in your power. By all these it is imagined, and would be concluded by some, that you have been partial and that you have kept secret intelligence with the Hollanders, to the betraying of the Spaniards. And one thing more they object against you, to wit, that you sent to the Spaniard, assuring him that you would never relinquish him till you sunk with him, and then left him in the open field. This is the discourse of those that love neither you nor truth, and this is fomented by the Papists and Spanish faction, who are not contented to injure you but do labour with all the might they can to cause a breach between us and Holland, a greater mischief than which there cannot be. 'Twere better the King fell out with France and Spain both. I long to have an hour's discourse with you, to tell you what rogueries there be in this little English world. But for what concerns you I am confident you will come off with honour, notwithstanding the malice of all those profane knaves who hate those honest Protestants whom they now term Puritans. I have purposely given you a hint of all those objections I have heard made against you, that you may the better arm yourself for defence, and as I shall learn anything else whereof I will be very inquisitive I shall be sure to impart it to you. I beseech you to accept this as a fruit of my love, for it would be a grief to me to see you suffer in a just cause, as some go about to bring to pass who do labour much to have you sent for hither. I have endeavoured much and shall do still to possess my Lord of your innocence, though I know knaves there be that strive to abuse you. Pray take no notice of anything I have written to you. If this cocatrice-egg be not quickly dashed in pieces by some good friend it will too soon crow loud enough to your hearing, but we hope the best. I am suddenly cut off by the hasty coming away of this packet. Howsoever, I shall pray with all my soul for your good success and happiness. P.S.—My service and true love to my brother Carteret and the rest. Capt. Hall comes away to-morrow morning betimes by my Lord's order. [3½ pp.]

Oct. 15. 21. Copy of a portion of the above. [1 p.]

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Oct. 15.

22. Report of the Referees to the Council upon a petition [see Vol. ccccxvii, No. 89] of English journeymen apprenticed to the trade of workers of tuft-taffeta and broad silk. According to your commands we have called all parties therein concerned and examined each particular, but find very few of the journeymen of this trade to be out of employment, and that such as are have been discharged from their masters for misdemeanours, as is alleged. Also the complaint against the masters of the company for keeping many apprentices and few journeymen is without cause, for upon examination we find none of them to have exceeded their orders whereby they are limited, and that in the total they have more journeymen than apprentices. And concerning the raw silk mentioned in your reference, it is acknowledged to be much abated in price, but serves not for this occasion. And as for the silk used in making of stuffs we find it fallen in the price 2s. in the pound or thereabouts. But the stuffs that are therewithal made are grown cheaper in a greater proportion. The causes alleged are the great quantities of silk stuffs lately brought from China and sold at very low rates, the general interruption and deadness in all kind of trading for these last twelve months, and the prohibitions and restraints procured by the Company [of Weavers'] upon the commodities, which being since found to be prejudicial you have redressed. These things occurring have caused a stand and decay in their trade, which by their care and diligence may in short time be restored to its former state. There is also a general complaint of the whole company that by a certain proclamation they are compelled to pay 16*d.* the pound for the dyeing of their silks, which was wont to be done (as in other things) according as they could agree, and for 10*d.* or 12*d.* the pound at the most, the overplus whereof is wholly to the benefit of the dyer and nothing at all to his Majesty. So that upon consideration of all these things we conceive the whole company to be at this time much necessitated, whereupon those masters that are strangers children and born here, who pay more to his Majesty than the others, have taken occasion to make an abatement of their journeymen's wages, alleging that they are no ways able to pay a greater duty than the rest. And we are of opinion, if you would please to make these equal to the others, these differences would be soon reconciled, and but little loss unto his Majesty, by reason that more stuffs would be then made than now there are. [2 pp.]

Oct. 15.

23. Bond of Francis and Habel Feckman and Humphry Monox, gentlemen, of Turvey, co. Bedford, the first-named in 40*l.*, and the two last-named in 40*l.*, for the appearance of Francis Feckman before the Council on the 21st November next, to answer such matters as shall be objected against him concerning his conducting of Bedfordshire soldiers out of the North parts, and not to depart without license. [Strip of parchment.]

Oct. 15.

24. Information taken at Ampthill before William Briers and others, justices of peace for co. Beds, concerning the conducting of

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the soldiers into Bedfordshire from the Northern parts. Names of soldiers who charge Mr. Feckman with detaining part of their pay. Feckman acknowledges [to have received] pay but for 43 men who were delivered into his charge. [1 p.]

Oct. 16. Presentation of Thomas Harrison, clerk, M.A., to the rectory of Lanivet, Cornwall, in the diocese of Exeter, void *de jure*, and in his Majesty's gift *hâc vice* by lapse of time, simony, or otherwise. [Docquet.]

Oct. 16. 25. Petition of Elizabeth Salmon, widow, executrix of John Duling, her father, deceased, who was one of the patentees of the forest of Galtres, co. York, and of the New Park there, to the King. Sir Allen Apsley, late Victualer of the Navy, was indebted to Peter Lennart, Thomas Austin, and John Duling, for victuals delivered to the Navy in the voyage to the isle of Rhé, in the sum of 9,000*l.*, and for money lent 6,000*l.* That in 1629, at the suit of Sir Allen, his Majesty did grant the forest of Galtres to Lennart, Austin, and Duling, in consideration of 20,000*l.*, to enable Sir Allen to make payment of the aforesaid sum. Peter Lennart and John Duling, two of the patentees for the forest of Galtres and the new park there, are deceased, and Thomas Austin, the surviving patentee, could never be brought to give in a true account either to Lennart or Duling in their lifetime. Thereupon petitioner, being executrix to her father, was forced to sue Austin in the Court of Chancery. In the meantime other creditors of Sir Allen Apsley have petitioned the Council that Austin may surrender the new park which was granted to the foresaid patentees with the said forest. The Lords have thereupon ordered that Thomas Austin shall make his surrender of the said park presently, and be secured from the petitioner and all others for his so doing. The said Austin has also confessed in his petition and made it appear by his accounts that there is yet due to the patentees 4,091*l.* 9*s.* 6*d.*, whereof the moiety is due to the petitioner by the said Austin's own confession and himself almost fully satisfied. Prays his Majesty to commiserate a poor widow left with six children and to recommend her suit by referring it to the Council, that she may be fully heard, and in the meantime the aforesaid surrender be respited till she has made her just demands in the premises before the Lords that she may then receive with the rest of the creditors out of the said new park so much as shall appear to be due to her father. Underwritten,

25. I. Reference to the Council to take such order in the petitioner's suit as they shall think good. Whitehall, 16th October 1639. [1 p.]

Oct. 16. Petition of William Yeomans, merchant, of Bristol, to the King. Your Majesty, by letters patent of 23rd Feb. 1635-6, appointed and authorised Sir Abraham Dawes, William Watkins, and John Dowell to compound with all offenders suing for the same who have

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transgressed the laws and proclamations by unlawfully buying and transporting of butter from 1 Car. I. till 11 Car. I. Divers merchants of Bristol being convented in the Star Chamber for the same offences compounded with the said commissioners for several sums of money and paid the same, whereupon they were absolutely acquitted of and from all fines and penalties for the said offences, and also dismissed from the suits in the Star Chamber. Petitioner having likewise compounded with the commissioners ought to be discharged as all the rest of the merchants who compounded are; yet he is still prosecuted in the Exchequer contrary to the tenor of your Majesty's letters patent. Prays his Majesty to signify his pleasure to the Barons of the Exchequer that petitioner shall in that court enjoy the like benefit of his composition as the rest of the merchants who compounded have done in the Star Chamber.

Underwritten,

1. *Reference to the Barons of the Exchequer, who, if they find his allegations true, are required to make stay of the suit and to discharge the petitioner from further attendance. Whitehall, 16th Oct. 1639. [Copy. See Book of Petitions, vol. cccviii., p. 94. 1½ p.]*

[Oct. 16.] 26. Petition of Sir Matthew Lister, Sir John Danvers, Sir Edward Spencer, Sir Ralph Maddison, and 29 other creditors of Oliver Lord St. John, of Bletsoe, to the King. Petitioners heretofore lent Oliver Lord St. John sums amounting to 5,900*l.* principal debt, and took several bonds from the said Lord St. John with divers sureties, being men of ability as petitioners conceive, and upon whose security they relied, and whom they have caused to be sued at law for recovery of the said debt, and the proceedings are now ready for outlawry, there being behind this present Michaelmas for these debts one year and a half's interest. The petitioners are informed that the said Lord is a petitioner to you for his Majesty's protection for himself and his sureties. Pray his Majesty to leave them to the benefit of the law for the recovery of their just debts. [1 p.]

Oct. 16. 27. Another similar petition, addressed to the Council, with an underwritten reference to Sec. Windebank that his Majesty may be acquainted therewith and his further pleasure known. Star Chamber, 16th Oct. 1639. [1 p.]

[Oct. 16.] 28. Petition of Henry Pavie, prisoner in the Fleet, to the Council. Prisoner stands committed to the Fleet for selling tobacco contrary to proclamation, upon the information of John Smyth, patentee for Somerton, Somerset, and for the said offence has been imprisoned for upwards of 12 weeks, to the utter undoing of his wife and children; he being a barber by trade, and having no other means to maintain himself and family beyond his trade, from which he is now debarred, prays, upon his submission to such order as the Lords shall make, that they would take speedy course for his enlargement. [$\frac{3}{4}$ p.]

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Oct. 16.
The Tower.

29. John Taylor to Sec. Windebank. I have been a suitor to you for divers favours, but never upon the like occasion. I lie here at a rate far beyond my ability, and am forced to do so, notwithstanding any favour that the Lieutenant can do me, by whose noble courtesy I am much obliged. The charge also of my family at home is great, which cannot subsist but by my endeavours. These occasions are so pressing that I protest if some speedy course be not taken for me, both myself and all that depend on me must of necessity fall into great extremity, for since my coming forth of Germany, all the moneys I could get or borrow have been too little to pay debts contracted in his Majesty's service; and still I owe a great deal of money which I am not able to pay. I neither have of mine own nor can I borrow any more. My suit to you is to move his Majesty that he will commiserate my state and grant me my liberty. [*Seal with arms. 1 p.*]

Oct. 16.
Queen Street.

30. Algernon Earl of Northumberland to Sir John Pennington. Yours of the 15th inst. arrived this morning. I find thereby that you are very sensible there was no more credit given to that relation sent unto me under your hand and the rest of the captains', wherein you go about to accuse the Spaniards to be the beginners of the late fight, notwithstanding all the world knows that the Hollanders had often protested to put this attempt into execution which your own letters witness. That their fleet did all first weigh, were under sail, and made towards the Spanish fleet while the Spaniards were taking in their powder, and were forced to cut or let slip and to leave the greatest part of their powder behind them. The greatest part of this being very well known to you, it did seem very strange that you went about to contradict it, and caused the truth of all the rest to be called in question. Concerning the conveying the Spaniards in English vessels for Dunkirk, I gave you directions last night, and can give you no other now, for in things of this nature I never send you any but what I receive immediately from the King. Now that the Hollanders are gone out of the Downs there will be no occasion of putting in execution those instructions I sent you last night concerning them. Howsoever, you are to keep them very secret. As for the 10 ships that are by this time with you, I believe his Majesty will suddenly recall them, it being conceived there will be no further necessity for their being out any longer at sea at this time. [*By the shorthand notes in the margin and on the outside of this letter, it would appear that the gunpowder which the Spaniards were taking aboard was part of the 500 barrels supplied by connivance of the English Government. 1½ p.*]

Oct. 16.
Queen Street.

31. Thomas Smith to Sir John Pennington. You may remember that in the beginning of the late business I put you in mind to have a care of preserving the Lord Admiral's right in the Downs, in case there should any wrecks or other casualties happen there, and now my Lord has commanded me once more to refresh your memory therewith, and to tell you that he doubts not but that you very well know that the Lord Warden has no further pretension

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there, nor into any part of the sea than a horseman can reach with a lance. Whatsoever is further into the sea than that appertains to the Lord Admiral, and to no man else, and therefore if any man pretend to sweep for anchors or cables, or to take up any ordnance without the extent of that lance, encroaches upon my Lord Admiral's jurisdiction; and his Lordship's pleasure is that you, with the rest of the captains under you, do take order for prevention of his Lordship's prejudice in this kind and on this present occasion, and that the small vessels of the fleet which ride nearer the shore may have some particular instructions from you to this purpose. P.S.—I am extremely glad the Hollanders are gone out of the Downs, for I would not have two of my friends whom I love fall together by the ears, though the miscreant Papists go about to sow the tares of contention amongst us, just as their father the Devil doth, who is the accuser of the brethren. Pray present my service to my brother Carteret, and tell him I cannot possibly have time to write to him as yet. [2 pp.]

Oct. 16.
Leeswood.

32. John Eyton, sheriff of co. Flint, to Nicholas. You will please excuse my not so often writing to you as you desired touching my proceedings in levying the ship-money, for finding no interruption or disturbance in the execution of the service more than slowness of payment for want of means more than will, I did rather forbear to trouble your more important affairs with unnecessary lines until the service were totally effected, and then to give you a summary account once for all, which now being performed I have enclosed a particular note in what manner I have paid in the whole sum imposed upon this county, wherewith I shall desire you to acquaint the Council as you shall see cause. [$\frac{3}{4}$ p.]

Oct. 17.

Presentation of William Annand, clerk, M.A., to the vicarage of Selling, in the diocese of Canterbury, void by the death of the last incumbent, and in his Majesty's gift *hâc vice*, by reason of the lunacy of Dame Catherine Sondes, widow, or by lapse of time, simony, or otherwise. [Docquet.]

Oct. 17.

Warrant to pay an allowance of 40s. per diem to William Curtius, agent for his Majesty with the Princes of Germany, for his entertainment in that service, to commence from the 17th Sept. last and to continue till his return again to his Majesty's presence inclusively; and to advance to him three months entertainment, to be afterwards defalked out of his entertainment, and so from time to time during his employment; and likewise for payment of his transportation charges, &c., as shall appear to be due upon bills subscribed with his own hand and allowed by the principal Secretaries of State for the time being. [Docquet.]

Oct. 17.

33. Petition of Nicholas Budier, Edward Peters, and David Hempsen, of Dover, merchants, to Theophilus Earl of Suffolk. There has lately been brought into Dover by certain ships of Hamburgh, as usually and formerly there has been, about 500

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barrels of gunpowder, consigned to the petitioners as factors for the proprietors. A part thereof is now laid in his Majesty's farmers' storehouse on shore, and the rest is on board one of the ships in the harbour that brought the same. And whereas it has been informed that the same powder has been sent hither to be disposed of and sold here; petitioners to whom the same is consigned know nothing thereof, neither ever intended to sell the same, but to send it according to the proprietors' order to Flanders, the islands of Madeira, and the rest to Lisbon; but insomuch as the said proprietors may be much damnified by the stay or not sending away of that powder, they pray that upon their satisfying his Majesty's customs the powder may be delivered to them to send to the aforesaid places.

Underwritten,

33. I. *I find that there was no intention of selling any of the powder in this kingdom, but to send the same beyond the seas according to the orders of the consigners. Yet, because I have been informed by Sir John Manwood, my lieutenant, that he has received order from Sec. Windebank touching the stay of this powder, I hold it not fit to discharge the same until Sir John has acquainted Sec. Windebank with this petition, and his direction be given either to myself or Sir John concerning the same. "Theo. Suffolk, 17th Oct. 1639." [1 p.]*

Oct. 17. 34. Portion of the wrapper of a letter from the Earl of Northumberland to Sir John Pennington aboard the Unicorn in the Downs, and dated "From my house in Queen Street, 17th Oct. 1639, near 12 at night." [*Seals with arms and garter.*]

Oct. 18. 35. Sec. Windebank to Sir Balthazar Gerbier. I send you
Drury Lane. herewith a duplicate of a despatch lately addressed to Sir Arthur Hopton in Spain, by which you will perceive his Majesty's generous and affectionate carriage to the Spaniards in the late great action between both the fleets, though I doubt not but his Majesty suffers much in his honour by the unjust clamours of that nation in those parts, seeing those of them that are here forbear not to shift the blame and disgrace of the late disaster from themselves (as losers use to do) and cast it upon his Majesty and his ministers. For the clearing therefore of his Majesty's honour, and that the Infante Cardinal may be disabused and understand the truth, you are to represent to his Highness the particulars of this letter and to assure him that his Majesty both before and since the fight did all that lay in him both to prevent the mischief and to give assistance and succour to the Spaniards, for whose loss his Majesty is infinitely afflicted, and the rather because it happened in his port. You are likewise to assure his Highness that his Majesty, besides the consideration of the public, holds his own interests highly concerned in this disaster, and that he is very sensible of the affront and insolency offered in his road by the Hollanders, and will make such demonstration of it, and demand and expect such reparation as in honour

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he is obliged. The duplicates of the letters mentioned in the despatch to Sir Arthur Hopton I have not leisure to send, and besides I hold it not so necessary considering that the most pertinent and material parts of them are contained in the despatch itself. Only I send the memorial delivered by me to the States ambassador before the fight, and likewise a duplicate of the Lord Admiral's letter to Sir John Pennington written by his Majesty's command after the return of the Holland fleet from the defeat into the Downs with intention to destroy the rest of the Spanish fleet, of both which you may make what use for vindicating his Majesty's honour and for his service you shall think fit. The bearer hereof, Mr. Norgate [*Morgan in other copy*], I promise myself will be too welcome to you upon his own interests that I should be injurious to them and him to add anything of recommendation from myself. He is my very good friend and one that I esteem much for his own merit and his relations to you, which I rather represent to you than use as arguments for his advantage, considering the friendship already between you. I will not longer interrupt your enjoying of him. P.S.—The Spanish resident (which I had almost forgotten to tell you) complains much because he had not audience, when he first demanded it, upon the arrival of the Spanish fleet in the Downs, to which is to be answered that his Majesty was then out of town, and besides his Majesty had not then communicated Cardenas' submission to the Foreign Committee, by whose advice his negotiation having been first suspended his Majesty would not admit him again without their knowledge and advice. Immediately upon his Majesty's return from his hunting, the very first time the committee met, which was purposely for this, the first business proposed was this, and it being resolved he should be restored within two or three days, he had audience accordingly. I hear that he further complains that the States' ambassador has been admitted to an audience since the insolency committed by the Holland fleet upon the Spaniards in his Majesty's road, and thereupon infers that his Majesty has not that sense of the affront which he pretends, or ought to have. It is very true that the ambassador desiring audience had it, and unless his Majesty would have resolved upon a present rupture without hearing their ambassador, he could not well have refused him, but the audience was very short and cold. I assure you his Majesty is very sensible of the affront, and will to the uttermost of his power make demonstration of it. [*Copy. 4 pp.*]

Oct. 18. 36. Another copy with omissions. [*3 pp.*]

Oct. 19. Grant of a prebend's place in the Collegiate Church of Windsor to George Gillingham, D.D., and one of his Majesty's chaplains in ordinary, void by the death of Dr. Ellis, and in his Majesty's gift *pleno jure*. [*Docquet.*]

Oct. 19. Warrant for payment of 300*l.* to Sir Henry Bruce without account, to be employed in secret service. [*Docquet.*]

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Oct. 19. Warrant to pay 300*l.* to Sir William St. Ravy without account, to be employed in secret service. [*Docquet*].
- Oct. 19. 37. Sir Nicholas Carew and Sir Abraham Dawes to the Council.
Battersea. According to your order of the 11th inst., we met at Battersea to have put your order into execution, but at the very instant the servant of Mrs. Peele came and presented unto us an order under the hand of Mr. Meautys in *hæc verba*: "You are to signify to the justices of the peace, referees upon the complaint of the Gardeners against Mrs. Poole, that they forbear to put the last order in execution concerning the pulling up of the posts until the Lords shall give further order. At Whitehall, 18th Oct. 1639." The inhabitants meeting there and expecting the performance of your order were with much ado pacified by us from the pulling up of the said posts, which we fear would have been done by them to the breach of the peace. Wherefore we beseech your further order in this to put in execution the former order, or to surcease altogether, which will hardly give content to the inhabitants; all which we leave to you to determine. [*Seals with arms. 1 p.*]
- Oct. 19. 38. Sir William Calley to Richard Harvey. In my letter of the
Burderop. 12th inst. I wrote you of the sending six collars of brawn directed to Lord Cottington, &c., since which I have received yours of the 10th inst., and thank you for the news. We hear that the two fleets have fought, that the Spanish fleet is overthrown, and that their Admiral being in some distress did sink his own ship; the certainty of all which I expect from you by your next. [*Seal with arms. 1 p.*]
- Oct. 19. 39. Theophilus Earl of Suffolk to Sec. Windebank. I must
Dover. confess I do believe, as well as others that have reported it, that the Spaniards were very rudely used at their landing, and if I should call it by a more uncivil name I should not err from the truth, yet I cannot hear that any gentlemen were guilty of this fault, howbeit certainly the common people have deserved much blame and punishment also could it be known on whom to fix it, and ye without question, if a strict course of enquiry be taken, some may be lighted on that will discover more. In all these disorders none were more to blame than the sea-faring men, who came with their vessels and boats to commit these robberies. I have sent you enclosed the names of some who, as I am informed, are foul offenders, but being out of my jurisdiction I could not lay hold of them; those who were in my power I have bound over to answer such offences as they have committed; the like course will I take with all others I can meet withal. For the better discovery of the like misdemeanors a military guard keeps watch on shore both day and night; both the deputy-lieutenants and captains are very careful in this service. As for Sir John Manwood, my lieutenant, he moves not from the place at any time. Now for myself, lest it should be thought that I have not endeavoured by all the means I could to follow such directions as I received, to give the Spaniards all

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satisfaction that might be, I will not be my own judge, and therefore have sent you the several letters which I received from the Spanish generals, two of them from Don Antonio de Oquenda, who is gone, and the other from Don Andrea de Castro who remains here. If it please you to give notice to my Lord Admiral that Sir Thomas Walsingham, Vice-Admiral of Kent, take the examination of the fishermen and ketchmen within his vice-admiralty, there will be many discovered worthy of punishment, for I have daily complaints against men of that condition living, as I am informed, within that vice-admiralty. Amongst the papers I sent you there is one from Don Andrea de Castro full of particular complaints. I am not guilty to myself in the full performance of all those directions I have received, and out of a clear sense of duty I earnestly desire that an exact enquiry may be instituted of all men's actions who have had any hand in this business, so that the truth in every kind may the more perfectly appear, to which purpose I shall willingly contribute my pains, provided I receive the necessary direction and power without interruption of other men's proceedings. When you have read the enclosed papers, please return such as are directed to me that I may keep them for my own satisfaction. P.S.—I desire an answer to these particulars because time is very advantageous to the Spaniards in this their case of necessity. As for their soldiers, the Spaniards have shipped away the most part, and this day look for shallops to carry away the rest. [*Endorsed by Windebank*: "Received the 20th by Mr. Withrington." 1 $\frac{3}{4}$ p.]

Oct. 19. 40. Copy of the preceding. [3 pp.]

Oct. 19. 41. Thomas Smith to Sir John Pennington. I thank you for yours
Queen Street. of the 18th inst. You desire to know what the honest Protestant Lords say of your behaviour. I confess my affairs have been so numerous that I have not had leisure to speak with any of them, but what they say matters not much, seeing that the Lord you best love [the Earl of Northumberland] and desire most to please and [who] best knows how to justify you has already and will still continue to justify your innocence, as you know by this time, his last packet being now I presume come to you, otherwise some disgrace would have been put upon you, for it was much laboured by some to have you called up, but my Lord stood between you and the danger. I have had much contention about your behaviour in this business in Court and city; but I always left them very well satisfied. It seems a little strange to my Lord that no man would take aboard that cable and anchor, but suffer it to be carried into Dover, for every man might well think that it could not be kept secret, and that the Lord Warden's officers would seize it to his Lordship's use. Sir Thomas Walsingham, Vice-Admiral of Kent, dined yesterday with my Lord, and asserted that there was a town by Walmer and Dover called Margate, which was not of the Cinque Ports, but of the county, and that the Lord Warden had nothing to do there, neither with the sea coast thereunto belonging, but the Lord Admiral only. Therefore his Lordship desires you to learn the

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extent and limits of that place, and if any vessel or other casualty happen there that you suffer not the Warden's officers to have anything to do there, either on the land or the seashore, but that all droits of Admiralty happening there be seized and kept for my Lord's use. I have a suit to you, if it be not too troublesome. I have a brother with Capt. Carteret, and he desires to spend this winter at sea. If you have a spare cabin I pray you afford him leave to make use of it this winter. If you be full, pray speak to my cousin Fielding to favour me so much, and I will write him thanks so soon as I possibly can. I am almost worn out with business. The Lord Admiral expects that the boats of the King's ships should sweep for anchors and cables and keep them for his Lordship's use, and their pains shall be well considered. 'Tis told my Lord that the hoys and ketches were taking things out of the Spanish ships, and that Mr. White, your master, commanded them to forbear, unless they had warrant from the Lord Warden or his officers, which was out of course, for they should have order from none but the Lord Admiral. Sir Richard Percy desires you now to release John Hole. My Lord desires that you will send away the letter to the Lord Warden presently. [3 pp.]

Oct. 19. 42. Account by Sir William Russell of ship-money received since the 12th inst., total 440*l.*; making, with the 41,722*l.* previously received, 42,162*l.* [$\frac{1}{3}$ p.]

Oct. 19. 43. Account of ship-money for 1638 levied and remaining in the hands of the sheriffs, total 1,921*l.*; making, with the 42,162*l.* paid to Sir William Russell, 44,083*l.* Arrears due for 1638 = 25,587*l.* [1 p.]

Oct. 20. 44. The King to Sir John Bramston, Chief Justice of the King's Bench, Sir John Finch, Chief Justice of Common Pleas, Sir Humphrey Davenport, Chief Baron of the Exchequer, and to the rest of the judges and barons of the same Courts. Whereas divers of our subjects in cos. Cumberland, Northumberland, Durham, and Westmoreland did hold to them and their heirs several customary lands and tenements called tenant rights, by a customary estate of inheritance which did descend from ancestor to heir, some of which tenants did hold by border service. And whereas as well the lords as the said tenants and all other the inhabitants in those counties were upon the incursions of the Scots accustomed to perform service upon the borders for defence of this kingdom, and some doubts have been made whether such customary estates called tenant rights and the said border service were ended and determined by the descent of the Crown of England upon our late father. We, taking into our care that all our kingdoms may be defended and preserved in peace and quietness, do will and require you to take the premises into your serious consideration, and to certify to us your opinions and advice in writing, whether the said customary estates and border service do continue, notwithstanding the union of the two kingdoms in the royal persons of our father and us.

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And where the tenants are removed, whether the lands and the owners thereof shall be bound to perform the wonted service. [*Signed by the King.* $\frac{3}{4}$ p.]

Oct. 20.
Whitehall.

45. Order of the King in Council. A petition was presented by Col. Goring, Governor of Portsmouth, with several surveys and estimates annexed to the said petition taken by order of the Board, as well of the supplies of ammunition and other provisions requisite to be sent thither for the fortification of that town as of the reparations of his Majesty's house there, upon consideration had whereof his Majesty being put in mind that upon a former commission and instructions given for a survey to be made of all his Majesty's castles and forts a certificate had been returned to the Board by the Earl of Newport, Master-General of the Ordnance, assisted by Col. Alexander Hambleton [Hamilton] and Francis Coningsby, Surveyor of the Ordnance, did therefore signify his pleasure that the survey made and certificate returned by the said Commissioners should be perused and considered of by the Lords' Committees for Foreign Affairs and the Earl of Newport, and upon their Lordships' report of their proceedings and opinions concerning his Majesty's castles and forts contained in that certificate, amongst which Portsmouth is one, his Majesty will signify his further pleasure concerning Col. Goring's petition now presented. [*Impression of seal attached. Endorsed: "East India Committee."* 1 p.]

Oct. 21.
Berwick
St. Leon[ard].

46. Sir Thomas Aylesbury to Robert Long, at Sir Henry Knollys' lodgings at Whitehall. I had waited on you at Draycott but that I heard first of your being in the North, and next not of your coming to Draycott till your departure thence. I much desire to know how far you have promoted the copy I sent you and with what success. I have lately read over Sir Henry Spelman's book of the Britain Synods [Concilia, Decreta, &c.], and therein have met with the testimonies in this enclosed paper which I desire you to insert into the place as therein is directed, if it come not too late. [*Seal with arms.* $\frac{3}{4}$ p.]

Oct. 21.
North Somers-
cotes.

47. John Gray to Richard Harvey. There is little yet done about Mr. Newstead's business. I should be glad to hear what Mrs. Tottie's answer was to my letter, but especially what Mr. Porter said to it. I long to hear also whether Mr. Phillips does anything in my business and what end is made with Mr. Stebbin. How the squares go with us, and what Mr. Butler says to all the world, I have certified you in Mr. Phillips' letter I request your aid to Mr. Phillips concerning the despatch of my business. [1 p.]

Oct. 22.
Queen Street.

48. Thomas Smith to Sir John Pennington. I thank you for yours of the 21st, and for your favour to my brother, who will be careful to serve you. Phil[ip] White is coming to attend you, and if he will do as much as he will talk we shall have ordnance enough. Now that these businesses are somewhat over we shall

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begin to write matter of news, for we have great affairs in agitation, a taste whereof I shall send you by Mr. Smith, the marshal, who is an honest man. [1 p.]

Oct. 22.
Boston.

49. Henry Conn, Clerk of the Sewers, to Mr. Enys. Touching an order made by the court at the last session of sewers, "It is agreed that a decree be drawn up for the freeing of the King's lands within the level of the Earl of Lindsey of the 4*d*. an acre and of all other charges concerning the maintenance of the works," I conceive that the court intended it to be done by counsel under the direction of Mr. Long, and with the help of Mr. Walpole. For my part, I neither know what quantity of ground it is, nor where it lies, nor in what plots, nor proportions, so of myself I cannot do it. [Names of the Commissioners present.] By this with the directions aforesaid and help of the decrees which Mr. Long has, counsel will be instructed for the acting of it. P.S.—All letters and commands, saving such as have reference to this act of the last court within Lord Lindsey's undertaking, remain with my partner Rosseter at Lenton, to whom if you send he will furnish you. I hope you forget not the business with Mr. Walpole. [1½ p.]

Oct. 23.

Petition of Gregory Hockmore, grandchild and heir to Sir Bartholomew Michell, deceased, to the King. Sir Bartholomew being seized of divers manors and lands in co. Somerset of very great value, and having only two daughters, when he lay at the point of death settled, as is pretended, the greatest and most valuable parts thereof by conveyances in trust for Richard Michell, his brother's son, and some others of his name and kindred for 99 years. Which estate Sir Francis Popham has for small consideration stept into, and endeavours to gain to himself, to the disinheriting of petitioner and little to the benefit of the said Michell, to whom he pretended it was meant. Whereof your Majesty being truly informed you were pleased for petitioner's relief to grant the benefit of some outlawries, as well of Richard Michell as of some of the trustees, which devolved to your Majesty. Whereupon suits having been commenced in the Exchequer, you on several occasions declared that whatsoever benefit devolved to you by law, your Majesty's purpose was to confer it for petitioner's relief, he being heir-at-law. By reason that upon a petition afterwards preferred by Sir Francis Popham your pleasure was not clearly understood, the cause yet remains undetermined in the Exchequer. To the end that an end may be put to these great suits and controversies, which have much impoverished petitioner, the same resting only upon the clear declaration of your pleasure concerning the premises, the petitioner being willing to pay the debts and secure the annuities to Richard Michell and others in such manner as Sir Francis Popham is to do, prays the King to declare his pleasure concerning the premises and he will humbly submit. *Underwritten,*

1. *His Majesty, calling to mind what he has formerly done in this case and that his intentions were in favour of peti-*

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tioner being the heir-at-law, declares his resolution is still the same as formerly, and that he will confer the benefit of the outlawry on petitioner, who is else in danger to be disinherited, whereof his Majesty would have the Court of Exchequer to take knowledge and proceed in their judgment accordingly without further delay, yet with this proviso, that petitioner, as he proffers, shall pay the debts and secure the annuities to Richard Michell in such manner as Sir Francis Popham was to do. Whitehall, 23rd Oct. 1639. [Copy. See Book of Petitions, Vol. cccviii., p. 96. 1½ p.]

Oct. 23. 50. Draft in the King's hand of the above reference on the petition of Gregory Hockmore. [$\frac{2}{3}$ p.]

Oct. 23. 51. Thomas Smith to Sir John Pennington. Thanks for those
Queen Street. noble expressions in your last letter concerning my brother and myself, who have ever been desirous to do you service. I am not yet able to render you an exact account of the convoy money, in regard I have not had the same from Capt. Percival's man. We conceive that what he and Capt. Carteret have collected may amount to 1,500*l*. If you were to let me know what you had received we might join that sum to the rest, and so be able to give my Lord an account of the whole, that he might proceed to the dividend. I think the captains will now, upon your coming in, be glad to receive what my lord shall be pleased to give amongst them, and for what is in your hands I think it will be needless to send it up, especially if it be in specie, but you may keep it there as your own, unless it exceed the proportion of your part, which you may guess at somewhat near. For your warrant, I am of opinion to forbear it a little, not having had leisure to move it as I would. [$1\frac{3}{4}$ p.]

Oct. 23. Notes by Sec. Windebank. Mr. Attorney to be called upon for the judges' resolutions concerning the tenant services in the north borders [*see p. 47, No. 44*]. The captains to raise the four companies to be sent to Berwick. The commanders of horse to be chosen at the committee. Next meeting [to be held on] Saturday afternoon at two o'clock. Newcastle: A governor there, and a special eye to be held over it. [*Endorsed on the draft letter of Sec. Windebank to Sir Michael Ernely of the 24th inst., see p. 51, No. 53. ¼ p.*]

Oct. 24. 52. Petition of Henry Jermyn to the King. Your Majesty, by letters of Privy Seal and by book of rates under the Great Seal, has rated lead to pay 48*s*. for every fother weighing 20 cwt., for subsidy and impost. The merchants for their own advantage have long since procured every fother to be cast into such a weight as much exceeds that weight, so that the collection of [the difference] has been omitted, notwithstanding it is due as well as any of the rest.

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Prays his Majesty to grant him a lease for 31 years of the omission.
Underwritten,

52. 1. *Reference to the Lord Treasurer to certify his Majesty his opinion, whereupon the King will signify his further pleasure. The Court at Whitehall, 24th Oct. 1639.*
[1 p.]

Oct. 24.

53. Sec. Windebank to Sir Michael Ernly at Berwick. His Majesty judges it very necessary, owing to the present constitution of affairs in Scotland, that a vigilant eye be held over the garrison and strength of Berwick, to secure it from surprisal, the safety of these northern parts depending upon the preservation of that important place, besides the consideration of the magazine of artillery and ammunition now there, which, if it should fall into the rebels' hands, might furnish them with arms against their Sovereign. The King has therefore commanded me to signify his express command to you that as you will answer for the contrary at your uttermost peril you take care to have the garrison and forces there in order and readiness for the defence thereof, and that you use diligence, but secretly and dexterously without noise, to discover what intelligences the townsmen hold in Scotland or what practices or designs the Scots may have to surprise the town. You are further to certify hither immediately the true state of the garrison and of the works and fortifications there, and whether they be sufficient to withstand any sudden attempt. If deficient, you are to send in your demands for supplies, either of men or anything else that may be required. In all this you are to use great discretion and secrecy, that no jealousy [or] alarm be taken, either in the town or in Scotland, and you are to be extraordinarily diligent and watchful in your charge, especially now in the absence of the Earl of Lindsey. His Majesty would have Sydenham's work forthwith taken in hand, and to that purpose you are to cause Fludd, the engineer, to draw a plot of that work and to make an estimate of the charge, both which are to be sent immediately hither to me, and you are likewise to certify whether there will be room enough in that work to lodge 15,000 foot and what convenience of fresh water is to be had there. [*Endorsed* "A like to this *mutatis mutandis* was at the same time sent to Carlisle to Sir Francis Willoughby." *Draft. 2 pp.*]

[Oct. 24.]

54. Draft of a portion of the above. [1½ p.]

Oct. 24.
The Office
of Ordnance.

55. Officers of the Ordnance to the Council. We have taken into consideration the petition of the inhabitants of co. Cambridge, together with the papers thereunto annexed, concerning the 300 arms sent out by that county for his Majesty's service in the late expedition to the north. Concerning the arms sent in the ship *Lion*, we were to receive only the arms returned for Norfolk, Essex, and Kent, no mention being made of Cambridgeshire, which arms

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were received and delivered to the respective counties, as by the several acknowledgments remaining in the Office of the Ordnance may appear. [*Seal with device.* 1 p.]

Oct. 24.
Westminster
Hall.

56. Orl[ando] Bridgeman to William Dell. I beseech you present to Archbishop Laud the enclosed, which I have drawn thus short because I now understand the justices of the city of Oxford are by commission not by patent, so that the King may dis-justice them when he pleases if they should be refractory. The Solicitor-General has perused and approved it, but thinks it a little too sharp in these words (as you tender our pleasure and mean to enjoy the liberties which you use under our favour and goodness). I added them because they are in terminis the same with those in the letter of Queen Elizabeth to the mayor of Cambridge. [$\frac{3}{4}$ p.]

Oct. 24.

57. Particular of the value of tanned hides according to their dimensions. [1 p.]

[Oct. 24.]

58. Notes touching tanning, specifying the rules to be observed in that industry. [$1\frac{1}{2}$ p.]

Oct. 26.

Petition of Ralph Wilson, Nicholas Walker, William Colombine, William Evans, Christopher Fothergill, William Hunt, and others your Majesty's poor tenants at Wapping to the King. Many hundreds of houses, wharfs, and docks have been made and are now continued by encroachment upon the soil of the north bank of the Thames between high and low water marks all along eastwards from a wharf called Lewin's wharf, near the west end of Wapping, to Shadwell, and so to Ratcliff, and then to Limehouse, and then to Dickshore, which do wholly belong to the Crown, as clearly shown by a decree in a suit brought by the then Attorney-General against several persons as intruders, and adjudged in the Exchequer above eight years since. Thereupon petitioners holding several houses in Wapping, parcel of the said encroachments, did attorn tenants to your Majesty without further suit, and have laid out all their estates in building and bettering the said houses, for which they have ever since paid their rents. Nevertheless John and Charles Stepkin and others, pretending title to your subjects' houses, and taking advantage of the decease of the late Earl of Carlisle, who was fee-farmer of the said encroachments and defended your Majesty's title have lately brought several actions of ejectment at law against petitioners and have recovered several judgments by default thereupon against them, expelling some from their houses and taking bond of the rest to give up possession at Michaelmas next. The parties complained of do now say in a taunting and jeering manner to your subjects, being attorned tenants to the King, how doth he now defend you, and taking encouragement thereby have brought and do threaten many other actions against your subjects, whereby themselves and families are like to be utterly undone. Pray that

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his Majesty's title may be preserved, their possessions restored, and further suit prevented. *Underwritten,*

- I. *His Majesty, taking the case of these poor petitioners into consideration, and calling to mind that he had long since made a former reference to the Lord Keeper, Lord Treasurer, Lord Privy Seal, and Lord Cottington to take both this case in particular concerning Wapping and the improving of the marshes and surrounded grounds in general as matters of importance and much concerning his Majesty in his immediate profit, is pleased to order that the Lords above named, with the assistance of the Attorney and Solicitor General, do advise what they think fittest to be done, and then confer with the barons of the Exchequer, in the meantime taking special care for the quiet of petitioners, but no final resolution to be concluded before his Majesty be acquainted how they find the true state of the business. Whitehall, Oct. 26, 1639. [Copy. See Book of Petitions, Vol. cccviii., p. 97. 2 pp.]*

Oct. 26.

Petition of Roger Stafford to the same. The title to the barony of Stafford being controverted between petitioner, as heir male lenially descended from Henry Lord Stafford, and Sir William Howard, K.B., in the right of Dame Marie, his wife, as heir-general, have submitted both their titles to your determination and disposition, being the fountain and chief judge of all honours, and your Majesty having declared both titles shall be surrendered into your hands to be disposed of as you shall think fit, an instrument is thereupon prepared by the Attorney-General for that purpose. Nevertheless, upon petitioner's submission, your Majesty vouchsafed many expressions of grace and favour to be extended for some livelihood and convenient support for petitioner in respect of his willing submission of his title to your pleasure. Prays that before he be required to seal and sign the instrument of surrender your Majesty would declare your pleasure what he is to receive in respect of his relinquishing his title and from whom he is to expect the same; also for what continuance. Wherein he beseeches you to have respect of that blood of which he is descended. *Underwritten,*

- I. *His Majesty having received this petition from Roger Stafford's own hand, and having taken notice of his willing and ready submission to his commands, and having a gracious care that he may have convenient maintenance, orders that petitioner shall have 100l. per annum during his life, to be paid yearly, which the Earl Marshal will see duly performed. To which purpose the Attorney-General is to see an assurance drawn up that the money may be constantly paid in the country ready for petitioner's use, but the instrument not to be delivered to petitioner until he shall have actually resigned and relenquished his title to the barony of Stafford. Whitehall, 26 Oct. 1639. [Copy. Ibid., p. 99. 1½ p.]*

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- Oct. 26. 59. Certificate of the aldermen of Reading that according to an order of the 10th inst. Francis Sherwood and William Rymes attended at the George Inn, Reading, and made their submission to Robert Reade. [$\frac{2}{3}$ p.]
- Oct. 26. 60. Receipt of E. Caldwell, on behalf of his father William Caldwell, for 10*l.* paid by Edward Nicholas for one quarter's rent due at Michaelmas for a house, garden, stable, and coach-house in King Street and Axe Court, Westminster. [$\frac{1}{2}$ p.]
- Oct. 26. 61. Bill for books supplied to Lord Viscount Conway and Killultagh. Total 2*l.* 12*s.* 2*d.* [$\frac{1}{2}$ p.]
- Oct. 26. 62. Account by Sir William Russell of ship-money for 1637. Total received, 176,147*l.* 10*s.* 2*d.*; in arrear, 20,266*l.* 17*s.* 6*d.* [1 p.]
- Oct. 26. 63. Account by Sir William Russell and Henry Vane of ship-money for 1638. Total received, 43,220*l.* 1*s.* 6*d.*; in arrear, 26,529*l.* 18*s.* 6*d.* It is stated in a foot-note that since the making of this account 120*l.* had been received from the sheriff of Pembroke. [1 p.]
- Oct. 26. 64. Account of ship-money for 1638 levied and remaining in the hands of the sheriffs. Total, 2,541*l.*, making, with the 43,220*l.* paid to Sir William Russell, 45,761*l.* Arrears due, in 1635, 4,536*l.*; 1636, 7,181*l.*; 1637, 19,901; 1638, 24,529*l.* [1 p.]
- Oct. 27. Warrant to Lord Keeper Coventry, Henry Earl of Manchester, Lord Privy Seal, and others to issue letters patents without fee, except only clerks' fees, for the settling of divers rectories, prebends, lands, tenements, tithes, annuities, and hereditaments heretofore decreed to his Majesty in the Exchequer Chamber, according to his Majesty's pleasure. [*Docquet.*]
- Oct. 28. 65. Bishop Hall of Exeter to Archbishop Laud. Notwithstanding
Exeter Palace. the importunity of your manifold occasions I received two days since two letters from you at once, whereof the one signified his Majesty's pleasure for the provision of a benefice within my gift for one of our poor exiled neighbours, which I do most willingly embrace as out of my own true commiseration, so much more out of my obedience to my gracious master, but for the time as you know *θεοῦ δὲ πρὶ γούνασι κεῖται*. In the other I do first meet with your merciful and fatherly proceedings with one of my strayed charge, Mr. Cox. I was in some hope of his relenting ere I left him. If as I perceive the work be perfected [by your effectual counsels it will be happy for him, and great contentment to his friends in regard both of his former conformity and great charge. He is not yet come down; a hearty retractation will redeem all. In the next place I find your zealous care of the success of this work, which, upon your motion, I have heartily undertaken, wherein for the not employing of so many hands I do humbly rest in his Majesty's most wise determination, although the danger of variance might have received a prevention, since the whole work must have had

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one rule and have come under one view and censure, but this course is both more sure and no less effectual. For that which herein concerns myself I acknowledge myself much bound to you for your good opinion of my ability for so great a work, which I shall desire to improve to the utmost. And whereas it is thought requisite that I should set down those single propositions which I shall undertake to make good in this work, I do most willingly entertain it, and therefore shall make bold to acquaint you with the whole plot of my intendments in this service, humbly yielding it to your censure or better advice. And first, my purpose is, wherein I do somewhat please myself, if you be so pleased, to take my rise from the eighth session of their last synod of Edinburgh, wherein Mr. George Graham [*margin*: "Bishop of the Orkneys"] is said to come in and condemn episcopacy, and to profess his repentance, which is there appointed to be recorded. Hereupon I mean to take this master George to task and somewhat warmly to expostulate the matter with him, and when I shall, after a fervent preface, have driven him from the refuge of conforming herein to other churches, which I think I shall do to purpose, I shall then deal with him alone, and address myself to argue the case with him and the faction, (whom I shall make my adversary, the faction and not the Church of Scotland,) and shall undertake to make good these two points, as I conceive both full and proper for the occasion:—

1. That episcopacy is a lawful, most ancient, holy, and divine institution. I mean that which is joined with imparity and superiority of jurisdiction, and, therefore, where it hath through God's providence obtained, cannot by any human power be abdicated without a manifest violation of God's ordinance.
2. That the Presbyterian government, however vindicated under the glorious names of Christ's kingdom and ordinance, has no true footing, either in Scripture or the practice of the Church in all ages from Christ's time till the present; and that, howsoever it may be of use in some such cities or territories as wherein episcopal government, through iniquity of times, cannot be had, yet to obtrude it upon a church otherwise settled under an acknowledged monarchy is utterly incongruous and unjustifiable. Before the proof of which two heads I purpose to lay down certain clear and undeniable postulata, some 15 or 16 in number, as the grounds of my following work, such as these:—
1. That government which was of apostolical institution cannot be denied to be of divine institution.
2. Not only that government which was directly commanded and enacted, but also that which was practised and recommended by the apostles to the Church, must justly pass for an apostolic institution.
3. That which the apostles by divine inspiration instituted was not for the present time but for continuance.
4. The universal practice of the Church immediately succeeding the apostles is the best and surest commentary upon the practice of the apostles or of their expressions.
5. We may not entertain so irreverent an opinion of the saints and fathers of the primitive Church that they, who were the immediate successors of the apostles, would or durst set up a government either faulty or

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of their own heads. 6. If they would have been so presumptuous yet they could not have diffused one uniform order of government through the whole world in so short a space. 7. The ancient histories of the Church and writings of the eldest fathers are rather to be believed in the report of the primitive estate of the Church government than those of this last age. 8. Those whom the ancient Church of God and the holy and orthodox fathers condemned for errors or heresies are not fit to be followed as authors of our opinion or practice for Church government. 9. The accession of honourable titles or privileges makes no difference in the substance of the calling. 10. Those scriptures wherein any new form of government is grounded had need to be very clear and unquestionable and more evident than those whereon the former rejected polity is raised. 11. If that order which they say Christ set for the government of his Church, which they call the kingdom and ordinance of Christ, be but one and undoubted, then it would and should have been ere this agreed upon amongst them what and which it is. 12. If this which they pretend be the kingdom and ordinance of Christ, then if any essential part of it be wanting Christ's kingdom is not in that church erected. 13. Christian policy requires no impossible or absurd thing. 14. Those truths which are new and unheard of in all ages of the Church in main and essential points are well worthy to be suspected. 15. To depart from the practice of the Universal Church of Christ ever from the apostles' times, and to betake ourselves voluntarily to a new form lately taken up, cannot but be odious and highly scandalous. Upon these grounds laid I shall come to subsume, and shall both convince the faction in aberration from them and fully prove the two points intended, after which, with some observations and queries, I shall shut up in a vehement exhortation both to them and to our own, if it may be for the reducing of the one, if not yet to the settling of the other. If you approve of this platform I will accordingly prosecute it. If you think fit to alter, detract, or add aught, I am ready to submit. [*Endorsed by Laud*: The Bishop of Exeter's account of the heads of his book intended for episcopacy, against the Scots. Received November 1, 1639. 3½ pp.]

Oct. 28.
Berwick.

66. Sir Michael Ernly to Sec. Windebank. I received a letter from you on the 28th inst., and your commands shall be performed with all possible care and diligence, both for the preservation of this place and for the better strengthening of it as much as the time of the year and the weather will permit. As the town now is, I do no way doubt any assault the Scots can make, but I shall be able to defend it, although for such an occasion the men here are very few, and many of them sick and weak. Therefore if you think fit, it were very necessary the companies here were reinforced to a greater number for the present, though I confess I much more doubt treachery than force, if they have any design upon this place. I believe many of the townsmen are too well affected to them. I will be careful to inform myself of such persons, and as watchful

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in preventing any such plots. Capt. Floyd being at London I cannot inform you concerning the plot of the work, nor an estimate of the charge, but in my judgment there cannot be lodged the number of foot you speak of, by at least a third part. There is fresh water sufficient. Capt. Floyd being there can better inform you in this particular. I hear credibly that the Scots have given their officers satisfaction for the present, and have taken them into pay till May next. I sent a gentleman to Edinburgh but he could inform me nothing worth your knowledge. He tells me they brag much, and say they can have the castle there and this town at their pleasure when they shall see occasion, which is as easily said as anything else. We are very ill accommodated with lodgings for the soldiers by reason of the perverseness of the people of the town, who will not take them into their houses, and that is a great cause of much of our sickness. The officers of this garrison, especially the lieutenants and ensigns, have often importuned me to certify you that they desire there may be an establishment of their pay; they protest they are not able to live upon these lendings; this is to be left to your consideration. [1 p.]

Oct. 29. Presentation of Leonard Holeman, clerk, M.A., to the rectory of Gautby Marwood, in the diocese of Lincoln, void by the resignation of the last incumbent, and in his Majesty's gift *hâc vice* by reason of the minority of Sir George Villiers, Bart. [Docquet.]

Oct. 29. Petition of Archibald Hay, your Majesty's servant, to the King. Petitioner has been a suitor to you Majesty to accept of a surrender of the castle of Colchester, with the lands adjoining, together with the hundred of Tendring, co. Essex, which he purchased at a dear rate from the late Earl of Carlisle, and to vouchsafe him a new grant in such sort as by his petition appears, whereunto you were pleased to incline and on the 13th March 1636-7 to refer the particulars to the Lord Treasurer and Lord Cottington, who have now returned their certificate, which is annexed. In regard petitioner shall be a great loser by that bargain, the mills mentioned in the former letters patents being formerly granted away by King James, and the castle itself and lands challenged by the county to be employed for the county gaol for felons. Prays a new grant upon surrender with such additions as were desired in a former petition, and which are approved by the Lords; also to direct that whilst the castle shall remain in your hands the Attorney-General in your name shall commence and prosecute such suits against Charles Lord Stanhope, who claims custody thereof, and others claiming interest therein, for avoiding of the grants made to them, and for recovery of the possession or mean profits of the premises, and for punishing them for their wastes, spoils, and forfeitures, and that whatsoever shall be recovered in such suits may be passed and granted to petitioner. And for the hundred of Tendring, mentioned in the certificate, that you would grant it with the rest, but with such restrictions and in such manner that the sheriff of Essex may at all times and occasions freely execute all writs,

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precepts, and commands for your Majesty's service as he already does.
Underwritten,

I. *The Attorney-General is to accept of such surrender and prepare such new grant as desired by petitioner, with such clauses as may be for his best advantage, and to commence such suits in his Majesty's name against any person as the petitioner shall desire and the Attorney-General shall think fit, the better to enable him to make his best profit of the grant and to recover possession thereof, and the hundred of Tendring is likewise to be granted as is desired. Whitehall, 20th Aug. 1640. Annexed,*

II. *Copy of the certificate of the Lord Treasurer and Lord Cottington referred to in the above petition. On the whole we are of opinion that your Majesty may make a new grant to petitioner with such additional words as he desires; only we remember the commandment you gave for not passing of any bailiwick or hundred, which being in the former grant, we have let petitioner know your Majesty's restraint in that particular. 29 October 1639. [Copy. See Book of Petitions, Vol. cccviii., p. 218. 2 pp.]*

Oct. 29.
 Whitehall.

67. Order of the King in Council. Upon consideration of a certificate from the Attorney-General [see Vol. cccxxviii., No. 2], concerning some differences between the weavers of London and the weavers of Canterbury, it was ordered:—1. That there shall be, as has been since the erection of the Silk Office, 6*d.* paid upon every pound of silk, both by natives and strangers, also 6*d.* more paid by strangers and 2*d.* by natives upon all silk stuffs manufactured. 2. That all stuffs made at Canterbury shall be searched and sealed there, and not brought to the Hall in London. 3. All deceitful stuffs made by natives or strangers shall, upon legal proceeding and trial, be forfeited and destroyed. 4. There is, or ought to be, a bond of 200*l.* penalty taken, as well of natives as strangers, for the better securing of his Majesty's duty. It was now ordered that the same be henceforth reduced to 100*l.* penalty. Concerning the Government of the said trade it was ordered that the weavers of London and the weavers of Canterbury shall be severed by several letters patent, the one company from the other, but that both companies shall answer to his Majesty the same duties as before, and shall be both governed by the same rules and orders. Lastly, it was ordered that the deputy-alnager shall forthwith alter his seal, either to the form it was formerly, or else to some other form more differing from his Majesty's seal. Of all which particulars for settling the government of that trade the Attorney-General is to take notice, and is to prepare patents for the several companies. [1½ p.]

Oct. 29.

68. Receipt of John Turner for 40*l.* paid by Nicholas to the use of Anthony Hinton. [½ p.]

Oct. 29.

69. Bishop Roberts of Bangor to Archbishop Laud. I am to render an account of a letter I lately received from you on the

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behalf of Sir Thomas Holland, concerning the building of an aisle of a church near to him, whereunto he pleads he was licensed by authority under my episcopal seal. It is true at my first coming into these parts, by the request of some friends of his and upon sight of a former faculty granted to him from my predecessor, I condescended to renew it upon condition that the suggestions therein mentioned were really true; but since upon examination I find a young gentleman, his Majesty's now ward, one of the prime of that island, likely to suffer much thereby, and that the first license was privately obtained from my late predecessor, whereas in the diocese of Bangor public proclamation ought always to precede before the granting of any such request to the end the Court may understand what parties there are thereby aggrieved, and upon what ground. Now the lady, the young ward's mother, finding herself for the present and her son for the future much more thereby prejudiced, makes her address upon these terms: that Sir Thomas Holland dwells not in the parish, and that the greatest part of his means therein are holden, as being tenant to the said young gentleman or by assignment from his grandfather, only for some years yet to come, who, if he should come to live in that parish, as he intends to make it the place of his abode when he comes to riper years, hath no sitting place but on the north side of the chancel, which should now be broken down to make this new intended chapel, of which there is neither use nor necessity as is alleged, and for the present I conceive truly, for I cannot be persuaded that either the lady or her son would be such sanballats as to retard a work of this nature tending to the benefit of a parish wherein they have so great interest, the most part being their tenants, especially having given lately a testimony of their piety in this kind to the contrary by bestowing a couple of fair chalices of good value upon the poor cathedral church of Bangor, which has not a penny of yearly revenue to support the walls, much less to buy utensils; yet I thank God we shall not be much behind our neighbours either in necessities or beauty. Upon these reasons I thought good to interdict any further proceedings, and indeed must so do, the aggrieved party pretending the trial of the business by legal course till I should come into those parts, being then at some distance from them. And that I may give you an account of my intentions as well as actions in this particular, my resolution was, upon my repair to those parts, to be fully informed in the cause, and then to employ my uttermost endeavour to persuade the lady to undergo the work if I found it any way useful and decent, for she has a large fortune, fit for such a service, and has been rendered to me oft to be forward in works of this nature. If otherwise, as glad should I be to see the intendment prosper under Sir Thomas Holland's hands as any man's, if it could be with the preservation of justice towards the young man and the honour of the Church. [1 p.]
Enclosed,

69. 1. *Reasons why Sir Thomas Holland should not have faculty or licence to build the chapel he now intends in*

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the church of Llanfihangel Esceiflog, co. Anglesea.
 [Endorsed by William Dell: "Rec. Dec. 9, 1639."
 1½ p.]

Oct. 30.

Petition of the Company of Pewterers of London to the King. About the beginning of the pre-emption of tin, upon divers complaints of abuses done by the tanners, there was an office established for the assaying of tin in the time of Lord Treasurer Buckhurst, which was first conferred upon Mr. Conniack, and subsequently transferred to several gentlemen unexperienced, the last being Sir James Bagg, deceased. For want of the due performance of that office the royal commodity of tin has been much disgraced beyond the seas, to the loss of the farmers of the customs and the manufacture of this kingdom. Pray that the said office may be confirmed by patent to Henry Cowes and Arthur Fry, pewterers, being able and fit men for the performance of that place, with accustomed fees and dues. *Underwritten,*

I. *Reference to the Archbishop of Canterbury, the Lord Keeper, and Lord Treasurer, who are to certify his Majesty their opinions, whereupon he will signify his further pleasure. Whitehall, 30 Oct. 1639. [Copy. See Book of Petitions, vol. ccciii., p. 100. 1 p.]*

Oct. 30.

70. Petition of the Officers of the Receipt of Exchequer to the same. It has been an ancient established course that all the revenues of the Crown be duly paid into the Receipt of the Exchequer, the accompts whereof are weekly made up and delivered to the Lord Treasurer and others, whereby they have a continual view of your Majesty's treasure. The officers give their daily attendance throughout the year at small charge to your Majesty, each teller's fee being but 3*l.* 13*s.* 4*d.* per annum. This course, so long approved, has of late years been very much violated by the practice of obtaining grants for the payment of moneys by particular receivers, collectors, and farmers, whereby your Majesty is liable to make double payment upon the same letters patents. The revenues of the Crown are so dispersed and dismembered that scarce one moiety thereof comes to the receipt, every farm or collection having now become an exchequer, and every receiver, collector, and farmer empowered to dispose of your most certain revenues, and to prefer such annuities and pensions which are most advantageous to themselves. Your service, for want of a seasonable supply of money out of the receipt, must be supplied by assignations and anticipations upon interest, to your great charge, and the discouragement and great loss to petitioners. Pray order for a timely reformation hereof, and that all revenues may again be reduced to the ancient and accustomed course of the Exchequer, and that such particular receipts as do not ease the subject but are chargeable in allowance of [fees and poundage may be payable immediately into the Exchequer. *Underwritten,*

70. I. *His Majesty, remembering a former reference upon the like petition, is pleased to recommend the same to the*

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Archbishop of Canterbury, Lord Keeper, Lord Treasurer, Lord Privy Seal, Lord Cottington, and Sec. Windebank, who are to call petitioners and others before them to examine when these innovations began, and also to give order to the general auditors to certify all pensions, annuities, and payments as are not payable in the Exchequer, and then to report to his Majesty that such further order may be taken as his Majesty shall please to direct. Whitehall, 30 Oct. 1639. [1 p.]

Oct. 30. Copy of the same. [*See Book of Petitions, vol. ccciii., p. 105. 1½ p.*]

Oct. 30. 71. Petition of 34 Creditors of Sir Allen Apsley, deceased, to the Council. According to two several orders of the Board of the 31st July last, the Attorney-General has called Lady Dame Lucy Francke and the other parties therein mentioned, and has heard all sides concerning the 170*l.* received for the sale of the manor of Howcourt, and certifies that the same is in the hands of Sir John St. John. And for the park of Galtres, John Apsley, executor, has joined in the surrender thereof to the Crown. And lastly, touching Waddington and many other particular lands sold and the moneys misemployed, as your petitioners hope to make appear, the Attorney-General certifies the Lords that these being matters in fact he has no power to examine them, but conceives the same proper to be determined in a court of equity, as by his annexed certificate may appear. Pray the Lords' warrant to Sir John St. John for payment of the 170*l.* to petitioners, also to confirm the other part of the Attorney-General's certificate. [*¾ p.*] *Annexed,*

71. I. *Certificate of Attorney-General Banks above alluded to. 1639, Oct. 30. [¾ p.]*

Oct. 30. Inner Star Chamber. 72. Order of Archbishop Laud, Lord Keeper Coventry, Lord Treasurer Juxon, and Edward Earl of Dorset on the petition of Mary Stoddard, daughter of Sir Nicholas Stoddard, deceased. According to his Majesty's reference, the matter in difference, touching an annuity of 24*l.* per annum, between the petitioner and her brother William Stoddard, heir and executor to their father, was this day heard in the presence of the parties and their counsel, when it was ordered that William Stoddard should settle on his sister an annuity of 24*l.* during her life, but that she should receive the same as proceeding rather from the kindness and natural affection of her brother than from any compulsion or necessity at law. In case hereafter she should demean herself otherwise than becomes her, either in words or actions, towards her said brother, then he shall be freed and discharged from further payment of the annuity, notwithstanding this order or any subsequent assurance. It is fit that there should be a covenant in the said assurance to the same effect. [*Copy. 1½ p.*]

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Oct. 30.
Whitehall.

73. Edymion Porter to Sir John Pennington. I make bold to trouble you upon all occasions, and indeed I find you so ready a friend that your kindness invites me more than my own affairs to importune you with my letters. Would to God you would command me something, that I might shew myself grateful, for acknowledging of debts pays none. You see how the Spaniards believe that I have power with you, for though this bearer, the veedor, have my Lord Admiral's warrant for a convoy, yet he thinks himself not safe without my recommending him to your care; and believe me he is a very honest gentleman, and I hope for my sake you will use him with that love you have ever shewed to my friends, and I will make you hearty return whensoever you shall find any employment for me. [1 p.]

Oct. 30.
Queen Street.

74. Thomas Smith to Sir John Pennington. The two last packets went away so suddenly that I had not leisure to salute you, though I much desired it, because I would fain have told you that the truth is you might have avoided much trouble both to yourself, my Lord, and me had you at first acquainted his Lordship with the real state of the Spanish ships sunk. You wrote to my Lord of 24 sunk, but you have given him an account of only 16, viz., nine gone to Dunkirk and seven sunk in the Downs, as upon perusal of your register you will find. Lastly, you need never have made so much ado about a business wherein you had such punctual instructions, which had you observed no man could have blamed you for obeying your Admiral, and he had no reason to take notice of a commission which never came to him. If anything were disputable, why should not my Lord's officers take possession without so many arguments contradictory, as well as any else? This business being to my Lord Admiral, in respect of the future, of extraordinary concernment, I would you had said nothing but gone cheerfully about the affair. We are angry here, for which I am very sorry, the rather because it falls out at a very ill time, wherein I cannot do you that service I would, both in the business of your pay and the beginning of the winter convoy. But I have laboured as much as in me lies to moderate his displeasure, by assuring him that what you have done has not proceeded from any disrespect to his Lordship, but rather out of your care of him, fearing that if anything should have been done by any officer of his in the Downs after that commission came from the King, which had made all men relinquish and deliver up to the Spaniards whatsoever had been taken up of theirs, it might have reflected upon his Lordship, of whose reputation you were tender; this hath qualified something though not wholly mollified. But I hope within a little while to give you a better account of this business. [2½ pp.]

Oct. 30.

75. Archbishop Laud of Canterbury to [Sir John Bramston], Lord Chief Justice of the King's Bench. I conceive these indictments were put up before you, and therefore I heartily pray you to peruse this petition, and to take notice that I am commanded by his Majesty to send it to you, and to desire you to be very careful

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that neither this petitioner nor the church in those parts receive any prejudice by these vexatious courses, and for these and other matters his Majesty will take them into consideration in time convenient, and enjoin such further order as shall be found expedient. [*Copy. Endorsed by Sir John Lambe. 1 p.*]

Oct. [31]. 76. List of Spanish ships run ashore, sunk, or burnt in the engagement with the Holland fleet. They number 25, including the Vice-Admiral Royal sunk. [*Endorsed by Sir John Pennington. $\frac{3}{4}$ p.*]

Oct. 31. 77. Henry Bracebridge, Mayor of Southampton, to Sec. Windebank. In obedience to your warrant I have apprehended Capt. Giron and one other French gentleman, his companion, and shall attend your further direction how to dispose of them. [*Seal with arms. $\frac{1}{2}$ p.*]

Oct. 31. 78. William Towerson to the same. Signifies the arrest of Capt. Giron and his companion. [*Seal with arms. $\frac{3}{4}$ p.*]

[Oct. ?] 79. Petition of George Fennick, prisoner in the castle of York, to the King. About two years since a small library of books belonging to petitioner, upon their way to London to be sold for payment of his debts, were seized by warrant from the Archbishop of York, under the colour of new printed copies, which they were not. Whereupon on the 3rd of April of the year 1639 he petitioned his Grace for restitution of the said books, according to an order of the Council, but by the misinformation of petitioner's adversaries, his Grace being much incensed against petitioner committed him to prison, alleging that he was vicar-general to the Bishop of Calcedon in the North, a seminary priest and a seducer of his Majesty's subjects, and on the 9th April his Grace sent a new warrant, signed by himself and five of the Council, to continue his imprisonment until further order, where he continues in extreme misery, to his utter ruin and the great prejudice of divers tradesmen to whom he is indebted. Prays order for his removal to London to answer before the Council what may be objected against him. [$\frac{2}{3}$ p.]

[Oct.] 80. Minutes by Nicholas touching the writs for ship-money, followed by a note of the names of fit men to be sheriffs in cos. Somerset, Wilts, and Berks. [$1\frac{1}{2}$ p.]

[Oct.] 81. Petition of Isabel Peele, widow, to the Council. Upon complaint of some gardeners of Battersea, it was ordered by the Council that certain posts, set up by petitioner in a lane adjoining to her house, should be plucked up, and that the gardeners should have the free use of the lane until petitioner should, by the approbation of Sir Nicholas Carew and Sir Abraham Dawes, provide another way commodious for their carriage. According to that order, Sir Nicholas Carew and Sir Abraham Dawes having plucked up the said posts, did, upon their view, approve of another way to be convenient for the gardeners, which lies very near the said lane, and thereupon they directed petitioner to repair that way and to make it passable which petitioner has done at the cost of upwards of 40*l*. Prays

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leave to set up her posts again in the said lane, and that the gardeners may be ordered to use the new way repaired by her.
[$\frac{3}{4}$ p.]

[Oct.]

82. Petition of William Stoddard, prisoner in the Fleet, to the Council. Ever since the decease of his father, Sir Nicholas Stoddard, petitioner hath of his brotherly love paid Mary Stoddard and his three other sisters competent annuities for their maintenance, but Mary, refusing to accept thereof, petitioned his Majesty for an assurance, and alleged that Sir Nicholas left a great estate to perform the same, by reason of which false allegations an information was preferred against petitioner in the Star Chamber, to which he has truly answered that he had not either any real or personal estate from his father for the performance thereof, but had paid out of his own estate for his father's debts 1,500*l.*, which shall, with his sister's abusive information and ingratitude, be made evident to their Lordships. Prays, for the making of his proofs and just defence therein, he may be released from prison, where he has continued seven months. [$\frac{3}{4}$ p.]

[Oct.]

83. Petition of the same to Archbishop Laud, Lord Keeper Coventry, Lord Treasurer Juxon, and Edward Earl of Dorset. Sir Nicholas Stoddard, petitioner's father, being possessed of long leases worth 140*l.* per annum, besides other personal estate worth 2,000*l.*, slightly indebted, did by his will devise 24*l.* per annum to Mary, his daughter, for her maintenance, and other portions to his younger children, and thereof nominated petitioner executor, all which estate long before his decease being wasted and he greatly indebted, died about four years since, leaving only his ancient inheritance entailed to descend to petitioner. Petitioner refused the executorship and administration of his goods, worth 130*l.* at the utmost, [which] was committed to Penelope, petitioner's youngest sister. Being surety for his father's debts, he details the complications arising therefrom to the prejudice of his own estate; yet, although not bound by law, petitioner allowed the said Mary 20*l.* per annum for her maintenance, and a house worth 10*l.* per annum furnished for her, and procured habitation for two other sisters, and was otherwise helpful to them. But Mary, not herewith content, preferred a petition to his Majesty to enforce an assurance of the said 24*l.* per annum, which petitioner cannot do unless he bars the ancient entail of his lands and charges them therewith, whereupon the annexed order was conceived [see p. 61, No. 72]; whereas petitioner's consent was only to continue the same as a benevolence; since which time the said Mary has, in the public view and in an insulting manner, served the petitioner with the said order as he came out of church on the Lord's Day, and she, living next door to him, maliciously disquieteth him and his wife, and animates her sisters against him. Prays that, since their Lordships' mediation has produced so much confidence and ingratitude in the said Mary, and so great a disgrace and unquiet to petitioner, he may take his house and goods

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into his own possession, and live in quiet at his own house. However, petitioner is resolved neither to be an unfriendly brother to any of them, nor ever neglect to perform all due obedience to their Lordships. [1 p.]

[Oct.]

84. Petition of Thomas Rudd, his Majesty's chief engineer, to the Council. In obedience to your order of the 29th May last, petitioner went to Dover to perform the repairs of the harbour and fort thereby enjoined, for the accomplishment whereof he required money of the commissioners of the harbour and also of Captain Percival, collector of the duty of 12*d.* per pack upon strangers' goods, according to the direction of the said order. Petitioner received some money from Capt. Percival, wherewith he presently began the repairs, but the commissioners denied the payment of any, alleging the harbour was indebted 400*l.*, and since they have procured order signified by Sec. Windebank that the duty collected by Capt. Percival should be paid to them, so that petitioner is disabled to proceed in the work, and your Lordships' directions frustrated. The commissioners themselves show, by their letter to the Lord Treasurer, what the harbour was indebted at Michaelmas 1638. Estimates cost of works done to the harbour since that date. The commissioners, by their proceeding, have caused the work to be retarded, and the harbour is not so well secured against the violence of winter storms as otherwise it might have been if petitioner had been suffered to proceed according to the Lords' directions. Prays order for the commissioners to give an account in particulars how and what moneys they have expended upon the harbour since Michaelmas 1638, and that not only the money arising by the duty collected by Capt. Percival may be continued to be paid to the petitioner, but the revenues of the harbour also, that so he may be enabled to provide stone and other materials wanting for the repair of the harbour, which the commissioners neglect, and that he may have an order for pressing boats, carts, workmen, &c. for the said work, or else that the Lords will be pleased to discharge him, and leave the same wholly to the commissioners, their workmen and overseers. [*Torn.* 1½ p.]

[Oct.]

85. Petition of Beatrice Foxley, wife of Thomas Foxley, prisoner in the Gatehouse, to the same. Prays permission to visit her husband, who is afflicted with the falling sickness. [½ p.]

[Oct. ?]

86. Petition of Andrew Lapthorne, clerk, aged 69 years, whom the Bishop of Durham maintains with his Lordship's own purse to preach at Ovingham in Northumberland, to the same. At his Majesty's command to the Bishop of Durham, petitioner was, in January last, brought out of Northumberland, and entered into 500*l.* bond not to depart out of the city of London without license of his Majesty or some of the Council, and to appear before their Lordships within two days after warning. Petitioner having since waited above seven weeks, and obtained neither warning for his

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appearance, license for his departure, nor relief for his subsistence, and calling God for a record upon his soul that he never preached in Edinburgh, never was in any church or house in Scotland, never talked with any Covenanter whom he knew to be such, nor ever sent a message by word or writing to any in Scotland nor any thence unto him that he ever knew or heard of, as appears by the bishop's examination of the petitioner [see Vol. ccccxi., No. 58]. Prays the Lords' license to return to Ovingham to his desolate family, and that his bond may be cancelled and delivered to him. [$\frac{3}{5}$ p.]

Oct.

87. Certificate by William Ryley, Bluemantle, of the funeral of Frances Countess Dowager of Edward Seymour, Earl of Hertford, and afterwards consort to Lodovick Stuart, Duke of Richmond and Lennox. The Duchess departed this life, without issue, at Exeter House, in the Strand, October 1639, and was buried in Westminster Abbey. [*Draft, incomplete.* 1 p.]

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Nov. 1.

Warrant to John Earl of Thanet for preservation of his Majesty's game of hares and partridges at Hooe-court, Sussex, and within seven miles compass thereof. [*Docquet.*]

Nov. 1.

Petition of Richard Powell, one of the captains of the trained band, co. Middlesex, to the King. Divers suits are like to arise between petitioner and his brother, Sir Edward Powell, touching the will and estate of their deceased father, which, besides being very unnatural, may, in respect of the charge, tend to the utter ruin of petitioner and his family, his brother Sir Edward having possession of the whole estate, both real and personal. Prays reference, for ending the differences betwixt them, to the Archbishop of Canterbury, Lord Keeper, Lord Treasurer, Lord Chamberlain, and Sec. Windebank. *Underwritten,*

I. *Reference as desired. If the referees cannot determine the differences, they are then to certify his Majesty where the impediment lies, that such further order may be taken therein as his Majesty shall find fit. Whitehall, 1 Nov. 1639. [Copy. See Book of Petitions, Vol. cccviii., p. 101. $\frac{2}{3}$ p.]*

Nov. 1.

Petition of William Murray, one of the Grooms of the Bedchamber, to the same. In all ages the depositions of witnesses upon the merits of causes and collateral matters, and the examinations for proofs of contempts for breach of decrees and orders, &c. have been found the clearest way for judges to proceed to an upright sentence, so the altering, obscuring, and negligent keeping of such depositions and examinations have produced great prejudice to many causes and

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persons, being intrusted to several hands unsworn. For the purposes aforesaid there have been several offices erected and intrusted to men of ability and integrity in all your Majesty's courts, except the Exchequer. After the like office was erected in the Court of Chancery many inconveniences, nevertheless, arose for want of registering and keeping affidavits, until King James erected an office for that purpose. All causes depending in the Exchequer are determined by the testimony of witnesses, and many affidavits taken, yet there is no office for the examination of witnesses or contempts, and keeping the original depositions and examinations, and making copies of the same, nor for the registering of affidavits, as is used in the Chancery and other courts. Prays a grant for three lives for recting an office in the Exchequer for the above specified purposes, with such fees and allowances as are now taken in Chancery for business of the like nature. *Underwritten,*

1. *Reference to the Lord Keeper, Lord Treasurer, and Lord Privy Seal, who are to certify his Majesty their opinions, whereupon his Majesty will signify his further pleasure. Whitehall, 1 Nov. 1639. [Copy. See Book of Petitions, Vol. cccviii., p. 102. 1½ p.]*

Nov. 1.

1. Petition of Samuel Cordwell, his Majesty's gunpowder-maker, to the King. Has served his Majesty with gunpowder full three years ending in October 1639, in which time he has delivered 680 lasts of gunpowder, as may appear by the testimony of the Commissioners of Saltpetre and Gunpowder, and in which three years service his Majesty has already saved 3,400*l.* by having powder one halfpenny in the pound cheaper than formerly. And for that the Lord Treasurer has duly paid petitioner, he is willing to go on with this service, if it shall please his Majesty to suffer him so to do, to the end of his contract, whereof there are yet ten years to come from the 1st November 1639, by which his Majesty will have saved 12,000*l.* more, as compared with the price he formerly gave, if petitioner be furnished with saltpetre in due time, and what other advantage his Majesty has already made by the sale of powder will appear by the annexed paper. Prays that it be referred to the Lord Treasurer and whom else his Majesty shall think fit, to hear what more petitioner has to say concerning this work, so that they may report to his Majesty their opinions of the reasonableness of his requests. [1 p.]

Nov. 1.

2. Samuel Cordwell's statement above referred to. There has been delivered at the Tower in three years, ending in October last, 680 lasts of gunpowder, which at 7½*d.* the lb. comes to 51,000*l.* His Majesty's charge for foreign saltpetre "since I undertook to make his Majesty's gunpowder" comes to 2,500*l.* Total 53,500*l.*; which sum and more has been made by the sale of 300 lasts at 1*s.* 6*d.* the lb., so that his Majesty has had 380 lasts for nothing. [½ p.]

Nov. 1.
Bilbao.

3. Prestwick Eaton to some persons unnamed. Gent[lemen], I make no question but you have heard from Charles Valic of his pretended voyage in the George, from whom I had letters from

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Corunna of 23rd October, who being frustrated of his former voyage for Dunkirk, coming too late for the soldiers, is resolved to go from thence to Rochelle to seek another freight one way or other, and not to linger there to pretend satisfaction or refaction from Benjamin Wright, who freighted him, but who, it seems, will not make any allowance. I shall importune Benjamin Wright, and do what I can by fair means with him, otherwise nothing will be got, for being a business in this King's service he will be over favoured by the justice. [2 pp.]

Nov. 1.

4. Account by Richard Poole, Receiver of Saltpetre, of saltpetre brought into his Majesty's stores and delivered to Samuel Cordewell, his Majesty's gunpowder maker, from the 1st Nov. 1638 to this day, total 237 lasts 3 cwt. 0 qrs. 9 lbs. [1 p.]

Nov. 2.

Petition of Mary Bishop, wife of John Bishop, to the King. Petitioner's husband, being your Majesty's servant and attending your person, was persuaded to leave that happy condition by the late Sir John Cooper, who, desiring to have his neighbourhood in the country, sold him the lease of a house and farm, but Sir John dying the guardians of his heir, Sir Anthony Ashley Cooper, your Majesty's ward, out of malice to petitioner's husband, impleaded him in the Court of Wards, and in vacation time, by some misinformation, Edward Tooker, the ward's now guardian, obtained a decree for turning her and her husband out of possession, to their utter undoing unless your Majesty interpose your sacred prerogative of justice and mercy. The house and land having been bought with the money of her portion, petitioner prays your Majesty to command a review of the cause and commit the rehearing of it to the Lord Cottington, and that till then the execution of the decree may be suspended. *Underwritten,*

1. *Reference to Lord Cottington as desired, who is to cause a review to be taken of this business if he find it fit. Whitehall, 2 Nov. 1639. [Copy. See Book of Petitions, vol. ccciii., p. 104. 1½ p.]*

Nov. 2.

5. Petition of John Phipp, clerk, rector of Teffont Evias, Wilts, to Archbishop Laud. In his cause depending in the Court of Arches informations have been given by both parties. The adverse party have not pleaded any title, as his Grace formerly directed they should, but allege only a defect in the transmission of the process, which was procured by the adverse party, themselves being appellant, namely, that there was no hearing of their cause before the Bishop of Salisbury, which is well known to his Grace to be otherwise, the Bishop having given notice, by Dr. Henchman, both of the hearing and success thereof. Prays that the Archbishop would signify to Sir John Lambe his particular knowledge of the hearing of the cause before the Bishop of Salisbury, that so that omission in the process may not prejudice his rightful title, and that he may be assisted by his Grace's further favour against his oppressing

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adversaries, who have no title at all to his living nor have pleaded any; also that the sequestration according to his Grace's former directions, (not yet performed,) may be dissolved, if they shall further delay sentence. *Underwritten,*

5. 1. *The Bishop of Salisbury has a good while since certified me of this hearing, and therefore I desire Sir John Lambe to see that this be no retardment to the petitioner, but that he may have from him all possible expedition with justice. November 2nd, 1639. W. Cant. [1 p.]*

Nov. 2. Rich[mond]. 6. Bishop Duppa of Chichester to Archbishop Laud. It is not the least of your favours that you are pleased to acquaint me, though it be but in the general, with some flying reports, which being once got upon wing are not easily brought down again without the mischief done for which they were raised. But as I have been merely passive in this difference, which has been unhappily and unavoidably forced upon me, for neither the cause nor the occasion did any way proceed from me, so I am passive still, for I give neither birth nor nourishment to any of these reports. For the business which I am about being his Majesty's, and he having set me my bounds, I make no further dispute how wide or how narrow they are, but with all submission of mind prepare myself to the service that lies within my circle. And as for my deportment towards my Lord of Newcastle, though this cloud has been untowardly raised between us, I am yet so ready to run with him in all the ways that conduce to the Prince's good that no particular friendship with others nor no private interest of mine own can possibly divert me from it. Whatever therefore you may hear of our storms abroad, I beseech you to believe there is fair weather here, and that the Prince's education weighs more with me than all that concerns me else. I should have saved you the trouble of reading this letter, if the report of the King's coming hither to-day had not stayed me from waiting on you. Be but pleased to keep me in your good opinion, and nothing can discourage me. [*Endorsed by Laud: "In answer of my letters concerning himself and the Earl of Newcastle."* 1 p.]

Nov. 2. 7. Account of Sir William Russell and Henry Vane of ship-money received by virtue of the writs for 1638, total 45,229*l.* 1*s.* 6*d.*, leaving 24,520*l.* 18*s.* 6*d.* yet unpaid. [1 p.]

Nov. 2. 8. Account of ship-money for 1638 levied and in the hands of the sheriffs, viz., 2,341*l.*, making the total levied and paid 47,570*l.* No arrears of the ship-money for 1635, 1636, or 1637 were this week paid. The arrears stood as follows: 1635=4,536*l.*; 1636=7,181*l.*; 1637=19,901*l.*; 1638=22,520*l.* [1 p.]

Nov. 3. 9. John Crane to [the Council]. For the present year there is due to me, upon the extraordinary for victualing his Majesty's ships, 10,500*l.* or thereabouts, whereof I have had order from the Board for 8,000*l.* to the Treasurers of the Navy, but by reason, as

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they say, that the country moneys come not in, they can make no payment. I therefore beseech you to consider how I may timely receive satisfaction, it now being the season to provide for next year. If payment be made me within one month I will most willingly disburse the greater part thereof for his Majesty's service for the year to come, otherwise I shall not be able to perform what may be required from me. [1 p.]

Nov. 4. Presentation of John Watson, clerk, to the vicarage of Wroxham-cum-Salhouse, in the diocese of Norwich, void by the death of the last incumbent, and in his Majesty's gift, *pro hac vice*, by reason of the minority of Sir Thomas Corbett, or for want of sueing forth his livery. [Docquet.]

Nov. 4. Presentation of William Wishart, clerk, to the rectory of Withiel, in the diocese of Exeter, void by the cession of the last incumbent, and in his Majesty's gift by reason of the minority of — Glanvill. [Docquet.]

Nov. 4. Presentation of Richard Edwards, clerk, to the vicarage of Bucknell, *alias* Buckenhill, in the diocese of Hereford, void by the death of the last incumbent, and in his Majesty's gift, *pro hac vice*, by reason of the wardship of Bryan Crowther. [Docquet.]

Nov. 4. Petition of Lawrence Squibb, James Proger, and Robert Squibb, your Majesty's officers for cards and dice, to the King. Your Majesty, by contract with petitioners, ordained two sorts of cards and dice to be made and vended within the kingdom, the best to pay 3s. and the others 2s. upon every dozen. Petitioners conceive it to be prejudicial to the sale of cards and dice that only two sorts should be allowed, whereas formerly they were wont to be of divers prices and at low rates. Pray your Majesty to give leave that a coarser sort of cards and dice may be made for the use of the meaner sort of people, which may answer 12d. upon every dozen, as in the proposition annexed is set down, which petitioners conceive may add to this revenue 400*l.* or 500*l.* per annum, and that a Privy Seal may be issued for the same accordingly. *Underwritten,*

I. Reference to the Lord Treasurer and Lord Cottington, who are to give order for a Privy Seal authorising petitioners to make such a sort of cards as they propose, if their Lordships shall think fit. Whitehall, 4 November 1639. [Copy. See Book of Petitions, Vol. ccciii., p. 106. $\frac{3}{4}$ p.]

Nov. 4. Petition of James Aikman, of Edinburgh, merchant, to the same. Petitioner about November 1631 obtained a decree, according to the custom of Scotland, against John Symontoune, junior, for payment of 36,800 marks Scotch money, with interest since he first meddled with the lands mentioned in the said decree. Mr. Symontoune cunningly, to avoid the execution of the laws of Scotland and to defeat petitioner, has removed himself and his family into Ireland, where he

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now remains. Prays letters to the Lord Deputy of Ireland that he may have justice against Symontoune, according to the ordinary course of the laws there. *Underwritten*,

1. *Reference to the Lord Deputy of Ireland, who is to take such order for relief of petitioner as he shall find fit. [Copy. Ibid., p. 107. 1 p.]*

Nov. 4.

Petition of Jane Murray, widow, to the King. The commissioners for the Prince's revenue have lately made an improvement of 300 or 400 acres of common or waste grounds within the manor of Berkhamstead, co. Herts, parcel of the duchy of Cornwall, which is now to be enclosed and let to tenants for your Majesty's profit. The same lies very convenient and near to other lands held by petitioner of your Majesty. Prays grant of a lease of the said improvement for term of 31 years, under such rent and conditions as the commissioners shall think fit and reasonable. *Underwritten*,

1. *His Majesty is pleased that petitioner shall be his tenant of all the said new improved grounds at Berkhamstead, of which the commissioners are to grant her a lease for such term and at such rent as they shall think fit. Whitehall, 4 November 1639. [Copy. Ibid., p. 108. 1 p.]*

Nov. 4.

Petition of John Pollard to the King. That over the navigable rivers Taw and Torridge in co. Devon, at their confluence between the adjoining villages of Appledore and Yearsey, in the parish of Northam on the one side and Braunton and Instow on the other, there is neither bridge nor ferry-boat to carry the passengers and their cattle, so that people are enforced to hire ship boats or the like, to their great danger, and at unreasonable rates. Petitioner will maintain two or more sufficient ferry-boats and ferrymen always in attendance from sunrise to sunset throughout the year, provided he may charge for every passenger 1*d.*, for every horse or beast 2*d.*, and for every score of sheep or swine 4*d.* Prays that order may be given to the Attorney-General to draw up a lease of the said ferries to petitioner for 41 years, at the rent of 40*s.* per annum to your Majesty, all others being prohibited to ferry over there for gain. *Underwritten*,

1. *His Majesty is pleased that the Attorney-General shall give order for an "Ad quod damnum," and if thereupon it be found no damage, then he is to prepare a bill for erecting of the said ferry, with the aforesaid fees, to be granted to petitioner for the term and at the rent prayed. Whitehall, 4 November 1639. [Copy. Ibid., p. 109. 1½.]*

Nov. 4.
Bristol.

10. Bishop Skinner of Bristol to Archbishop Laud. I may well crave pardon for these large letters, as I do devoutly, but at this time I cannot help it. I have received information from Mr. Knight, and likewise from one Blunt, an attorney, that the Bishop of Hereford either has petitioned already or is about peti-

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tioning his Majesty against me. I cannot but marvel at it, being nothing conscious to myself of giving any just occasion. I shall, with your favour, herein, accuse myself all I can and to the utmost of my knowledge. There was a difference depending betwixt the Bishop of Hereford and myself about quarter rents, hay, and some other mean commodities, and indeed till I was satisfied from you I had thought those rents and the crop of hay had been mine of right, because his lordship had the like at Hereford, but after your interpreting the King's instructions I presently gave order to Stephen Knight to pay the rents and satisfy for the hay and to make an end of the whole business. The rents were given and taken, and more than due for quietness sake, but because the hay was eaten they put a triple valuation upon it, namely 16*l.* for five loads of coarse hay. Howsoever, Knight being urged to a speedy despatch by my letters, offered them 10*l.* for the hay only. The short is, nothing would serve, but to law we must, though I referred myself wholly to the Dean of Bristol, then living, or to my Lord's own chancellor, or any indifferent man, to which end I wrote divers letters to his lordship and sent two messengers on purpose. But a legal sentence he would have, for otherwise, as was pretended, he should find no indifference against me. After sundry harsh courses by writs, &c., when letters or the least intimation would have served, the cause in September last came for trial at Bristol, there to be determined, forsooth, in the sheriff's court. But before the day of hearing they had spread it over all the city that the Bishop of Hereford was compelled to this course by my usurping and detaining his goods against law and conscience and refusing to give satisfaction. Now I appeal to you and all good men whether it concerned me not very nearly (the place where and my place considered) to redeem myself from this unjust and general aspersion? Hereupon, when the cause was just upon hearing, I presented myself, and asking so much favour of the judge, showed briefly, plainly, and truly how I had carried myself towards the Bishop of Hereford since my first nomination to this place to that present day respectively to the cause depending, and though upon such provocation, subject to passion, I did it without the least unbefitting phrase, as I am confident, my Lord's servants set aside, the whole court, will testify for me. So without any way forestalling the jury or hearing any altercations or depositions in the cause, though entreated thereunto by the judge, I departed from the court. Anon witnesses being deposed and the case opened, a verdict was brought in which little made for my Lord's honour, and assures my readiness to peace, truth, and justice, the Bishop of Hereford being awarded 11*l.* only and some odd shillings for the hay, wood, and household goods, whereas Mr. Knight had offered, for peace sake, 10*l.* for the hay only, the other goods being estimated at 5*l.* or 6*l.* And now I solemnly protest to you I have accused myself to the utmost of my knowledge, and beseech you to relieve me so far as may stand with evident and necessary truth and no further. The truth is, your determining the dilapidations betwixt us, whereat my Lord of Hereford usually makes

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his wondering, and somewhat else about his son, sometime precentor at Hereford, and my rejecting his apparitor, with the conduct of his wise servants, have precipitated my Lord in these courses. [2 $\frac{3}{4}$ pp.]

Nov. 4.
Corpus Christi
College.

11. Thomas Greaves to Archbishop Laud. At the first institution of the Arabic Lecture you thought fit to prescribe these orders, which have been duly observed, that it should be read in times of vacation and in Lent once every week, upon Wednesday, between the hours of 9 and 10. Moreover, that upon every Monday and Friday, in the afternoon, the reader should be in readiness for one hour's space, privately to direct in the language all students who would repair to him. When your pleasure was certified to the Convocation certain delegates were nominated to consider what further orders might be requisite, but they have as yet added nothing more. Neither are any bound to be auditors, which freedom makes the company the less, yet I can truly affirm that there is now a greater frequency than heretofore, and most of those [who attend] are masters of arts. Divers have come to me for private directions, of whose proficiency I can give good testimony, one, a servitor, long since presented unto me an epistle in Arabic of his own composing. If it please you it may be moved unto the Heads of Houses at their meeting to speak unto such as they conceive most capable to apply themselves to these studies, unto whom I shall, with all willingness and alacrity, give my best assistance and directions. I beseech you to accept of this information for the present, and with all speed I shall signify to you what statutes I conceive most fitting for the future government of the lecture, when you shall perpetuate and confirm it. And here as the whole university, so I in peculiar manner am obliged to bless God, who has excited your noble and pious mind to promote these studies, which are useful in all kinds of learning, and may especially conduce to the advancing of Christianity and discovering of the vanity and impostures of that religion, which in this language has been so largely propagated. [*Seal with device.* 1 p.]

Nov. 4.
Suffolk House.

12. Theophilus Earl of Suffolk to Sec. [Windebank]. I intended to have waited upon the King had I not been prevented by a rude seizure of the gout, in which respect I have been forced to send in my room this petition. I entreat you to do me the favour to present it by your hand before his Majesty goes to his dinner to-morrow. [1 p.] *Annexed,*

12. 1. *Petition of Theophilus Earl of Suffolk to the King.* Sir Richard Grenville, upon petitioner's information, was sentenced in the Star Chamber to imprisonment in the Fleet during pleasure and until he should perform the sentence of that court, which he did not but escaped and fled out of this kingdom. Upon which contempt he stands, as petitioner is informed, in the case of an outlaw. Nevertheless, Sir Richard has petitioned his Majesty, wherein, amongst other things, as petitioner is likewise

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informed, he pretends a right to a jointure due to Lady Howard, sometime Sir Richard's wife, but since divorced from him by sentence of the Court of Arches upon apparent proof of a bastard begotten by him, by which divorce the lady's jointure was in her absolute disposal at her pleasure, according to law. Sir Richard has upon his said petition obtained a reference to certain Lords and others of the Council. Prays his Majesty to withdraw his reference and leave Sir Richard to his ordinary proceeding in justice according to law. [½ p.]

Nov. 4. 13. Abstract or brief of the prohibition brought from the King's Bench to the Commissioners Ecclesiastical in the cause of Baker *versus* Henry Hunt, William Crowder, and others, late churchwardens of St. Martin's Outwich, touching the enforcement of a contract entered into by Baker for the repair of the pulpit, pews, reading desk, communion table, and other joiners' work in the said church, to be executed by him for 134*l.*, to be paid by the parishioners. [3¼ pp.]

Nov. 5. Grant of the office of Yeoman of the Revels to Joseph Taylor in the place of William Hunt, deceased, with a fee of 6*d.* per diem from the death of the said Hunt. [*Docquet.*]

Nov. 5. Warrant to pay 120*l.* to Hubert le Sueur for a bust in brass representing King James, and 40*l.* for his charges in carrying to Winchester two figures, one representing King James and the other his Majesty. [*Docquet.*]

Nov. 5. Warrant to the Master of the Great Wardrobe for the payment of such liveries to Samuel Pinder, clerk of his Majesty's robes, as John George, late clerk, held and enjoyed. [*Docquet.*]

Nov. 5. 14. Petition of John Creswell, gent., and Thomas Ricketts and Thomas Blackwell, late churchwardens of Farthingoe, [co. Northampton,] to Archbishop Laud. There are two causes depending in the High Commission Court, the one promoted by Sir Rowland Egerton against the petitioners, and the other on behalf of the petitioners against Sir Rowland and James Dodd, about a disturbance in that church. Whereas in the former cause by monition of this Court petitioners are warned to appear *ad audientium judicium* against Thursday come sen'night, and not before, as by the monition annexed may appear, which they prepared to have done, yet Sir Rowland, to prevent their appearance, in their absence has procured you to appoint the former cause to be heard next Thursday. Forasmuch as both causes concern one and the same disturbance, and the proofs were so intermixed as they cannot well be divided, petitioners desire his Grace so far to favour the churchwardens, who are only troubled for executing their office, as upon the same proofs and Sir Rowland's and Dodd's answers to assign both causes to be heard together upon Thursday come

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sen'night, according to the said monition, they upon so short warning being not ready for hearing against the next Thursday. Underwritten,

14. I. "*There was one Vaux, as I remember, petitioned the Court very earnestly the last day. If his cause be ready, I desire Sir John Lambe to bring it on instead of this, or at least some other, for the day must not be lost. W. Cant.*" Nov. 5, 1639. [1 p.] Annexed,

14. II. *The monition above alluded to, dated Lambeth, June 27th, 1639. Executed the 14th October 1639. [1 p.]*

Nov. 5. 15. Examinations taken by Sir William Monson and William Lynche of sundry mariners of Deal relative to insolencies committed by the Hollanders. [1 p.]

Nov. 5. 16. Lord Treasurer Juxon to the King. The business of the overweight of the fother of lead here, which is now presented to you as a pretermitted duty, has been long known, having been presented to Lord Salisbury and succeeding treasurers of the Exchequer, who conceived fit to pass by the same, in order to encourage the merchant to pay his impost which from time to time was raised upon him. In the King's last book of rates the impost was raised from 20s. to 40s. the fother, so that the overweight was thought fit to be continued. But lest it should seem a pretermitted duty, as it now is represented to you, I heretofore, and not long before the petition, acquainted you with the state of it, with my opinion of how ill consequence it is to grant any custom duties to any private men. [$\frac{1}{2}$ p.]

Nov. 6. 17. Petition of John Holt, executor of the will of Henry Holt, deceased, late deputy-victualer of the Navy at Portsmouth, and Mark Quested, fishmonger of London, to the Council. There was due to petitioners for the victualing of the Navy 7,000*l.* and upwards, for satisfying whereof, amongst other things, his Majesty granted to Sir Allen Apsley the forest of Galtres and other lands worth 40,000*l.*, but petitioners being never satisfied any part of their debts, the late Lord Treasurer, the Earl of Portland, finding a great surplus of monies to arise by the sale of the forest of Galtres, commanded petitioners for their relief to commence a suit in the Exchequer, whereupon they obtained a decree in the seventh year of his Majesty's reign, which cost them above 300*l.*, by which decree it appeared the patentees were satisfied 19,509*l.* 5s., their debt being but 15,000*l.*, notwithstanding petitioners never received one penny, by reason of the unconscionable accounts of the patentees having been satisfied all their demands with interest by sale of the said forest, in which there is a new park containing about 1,200 acres, out of which petitioners should have received satisfaction. But by order of the Board the patentees were commanded to surrender the said park into the hands of his Majesty, which they have accordingly done, whereby petitioners are without any hope

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of relief herein, notwithstanding the order of Council of the 15th Dec. 1630, that petitioners should have been first satisfied before any of Sir Allen's creditors, and although they were the first finders out of this great estate being concealed. Pray order that they may be now satisfied their debt of 7,000*l.* by his Majesty passing a grant of the said park to petitioners, or else a valuable consideration for the same, or by any other way the Lords shall think fit. *Underwritten,*

17. I. *The Lords think that the creditors of Sir Allen Apsley should see this petition, and that the parties on both sides should attend the Board at the Inner Star Chamber on the 13th inst., at which time the Lords will take such further order in this business as shall be fit.* [1 p.]

Nov. 6.
Southampton.

18. Henry Bracebridge, Mayor of Southampton, to Sec. Windebank. In accordance with your instructions of the 4th inst., I delivered Capt. Giron and his companion into the custody of this messenger, the bearer of your letter, and caused them to be searched, but nothing, except the enclosed paper, was found about them. [*Seal of the corporation.* $\frac{1}{2}$ p.] *Enclosed,*

18. I. *Account of money expended for Mons. Giron in 1638 and Feb. 1638-9.* [3 pp.]

Nov. 7.

Petition of Tamar Caldwell (widow of Thomas Caldwell, your ancient servant,) and her daughter, Dorothy Fitch, to the King. Your Majesty, upon petitioner's husband's suit in November 1633 for a lease of the manor of Little Weldon, co. Northampton, and the arrearages thereof, being parcel of the possessions of the duchy of Cornwall, but of long time wrongfully detained from your Majesty without payment of rent, was pleased to grant the same in lieu of his great charges in discovery of it and his good and faithful service, but he died before receiving any benefit. Pray a grant of the arrearages due of the said manor, and a lease of the same for 31 years under the ancient rent of 14*l.* 10*s.* per annum, and to give order to the commissioners of your revenues when Prince to draw up a lease of the same. *Underwritten,*

I. *Reference to the Commissioners, who are to consider thereof and certify his Majesty how far this business has been proceeded in by the petitioner and her late husband, and whether the manor be now fully recovered to his Majesty, whereupon he will signify his further pleasure.* Whitehall, 7 November 1639. [*Copy. See Book of Petitions, vol. cccviii., p. 111.* 1 p.]

Nov. 7.
Warder Castle.

19. Cecil Lord Baltimore to Sec. Windebank. I understand some malicious persons have invented and divulged many most notorious and pernicious lies against me concerning my actions here, and have endeavoured to imprint a belief of them in the King and Queen and persons of quality at Court, and by that means to poison, if they can, the good opinion which some of my friends there had of me.

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I thought fit, therefore, to beseech you to suspend your judgment when you meet with any such aspersions laid upon me till I be heard, and that the truth of those things may appear. For upon my faith, I am guilty of nothing concerning my Lord Arundel and his estate but what I can very clearly justify in law, honour, and conscience. That is to say, I have done no unlawful, dishonourable, or unconscionable thing either towards the one or in the other. If that which my Lord has given me was not in his power to give, I cannot keep it, for the law will give every man that which is legally due unto him, and in that point, if there be any question, which I am confident for my part there is not, then the law will decide it. In the meantime my suit to you is that by your favour the King may receive no ill impressions of me concerning these things till I be called to justify myself, or that a little more time make the truth appear, and that no act may proceed from his Majesty or the Council to disturb my right in anything which my Lord has given me till the law evict me out of it. This, I conceive, is very reasonable and just, and yet herein you shall very much oblige me. [1 p.]

Nov. 7. 20. Bishop Morton of Durham to Sec. Windebank. In obedience
Bishop Auck- to his Majesty's command, signified in your letter of the 18th Nov.
land. [Oct.] last, concerning John Jemmat, lecturer of Berwick, to give a speedy account of my dutiful performance thereof. So it is that I, being confident in myself that if any report of seditious doctrine preached at Berwick should have been true, I should have understood as much, either by my chancellor or by the vicar of Berwick who is continually resident there. Wherefore upon the first receipt of your letters I immediately despatched the messenger for him and examined him circumstantially, both touching the words of his sermons and of his conference with any others, as also of other his demeanours upon that occasion, to all which he gave me his particular answer, signed with his hand, which I thought to have sent up, if I had been so commanded to do. But accordingly, as I am enjoined, I have silenced him from preaching, have taken his license from him, and in his Majesty's name commanded him to depart from that place. I afterwards further examined him, whether he were conformable to his Majesty's late directions concerning lectures. He answered affirmatively to every particular, so far as it concerned himself, nor have I any information against him touching any matter cognizable in the Court of Commission for Causes Ecclesiastical. Whereupon Jemmat did in all humility submit himself to his Majesty's pleasure in that behalf signified unto him. [1 p.]

Nov. 7. 21. Petition of Robert Newman of Dorking, Surrey, to Archbishop Laud. John Nelson, rector of Mickleham, about June 1638 being tipsy fell off his horse, but having been helped up intruded himself into petitioner's house, when he feigned sickness, and was suffered to lie down upon a bed. Nelson then violently laid hands

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upon petitioner's wife, he being from home, and attempted a criminal offence, but some company coming to petitioner's house she escaped from him. Through the said violent abuses petitioner's wife miscarried within two days after, and Nelson now thinking to excuse his wicked act and to daunt petitioner, has unjustly caused him to be cited into the Court at St. Saviour's to his great charge and hinderance, thereby seeking the utter ruining of petitioner, his wife, and children, he being a poor simple man and ignorant of the law. Prays his Grace to take into consideration these heinous abuses committed against petitioner, which he will make truly appear upon oath, and to give order herein as to truth and equity shall appertain. *Underwritten,*

21. I. *Reference to Sir John Lambe to give such further directions in the business as he shall find fitting. W. Cant. Nov. 7, 1639. [1 p.]*

Nov. 7. 22. Francis Lord Cottington to his Majesty's Remembrancer of the Exchequer or his deputy. Upon receipt hereof, make and send me fair written on parchment under your hand, a particular of the lands and tenements of George Duke, the elder, as the same are found by an inquisition taken at Stowmarket, Suffolk, upon an extent and returned into your office. [$\frac{3}{4}$ p.]

Nov. 7. 23. Sentence in the High Commission Court this day, in the cause of Emanuel Bradley, of Huntingdon, gent. Bradley, being alderman of Huntingdon and church-warden of St. Bennet's there, did on or about Easter 1636 or 1637, immediately after the administration of the Holy Communion, and whilst the minister was present in his surplice and the communicants were offering their charity, take up the communion cup from the table and filling the same with the consecrated wine drank unto one Thomas Adler, who had then newly received the Holy Sacrament, and touching him on the arm said, "Tom Adler, here's a health to my Lord of Carnarvon." Had the premises been fully proved the Court declared that they would have proceeded to a sharp censure against defendant, but it not clearly appearing to the Court whether the wine of which Bradley drank were consecrated or not, they thought fit only to enjoin Bradley for his behaviour, which savoured of profaneness, submission at the time and place before mentioned to be made before the minister and the churchwardens and three or four of the best of the inhabitants of the parish of St. Bennet's aforesaid in the vestry there, at such time as he shall be appointed, by a schedule to be here drawn in writing *conceptis verbis*. Bradley was further fined in 40*l.* to his Majesty's use, and was lastly condemned in costs of suit which are to be taxed the next Court day. [$2\frac{1}{3}$ pp.]

Nov. 7. 24. Order of the High Commission Court in the cause of Richard Tid and Richard Goodman. The counsel for the office informed the Court that there was a mistake in a name in one of the articles, viz., the Lord Bishop of Ely for the Lord Bishop of London, which mistake

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they desired might be mended in the articles, and the defendants be ordered to answer the articles so amended; but the counsel for the defendants opposed that motion, and alleged that in case the promoter of this cause was permitted to amend this article they ought to have expenses *pro emendatione libelli*, which they desire might be allotted them. The Court referred the consideration of this motion to the Commissioners at Informations, to do thereupon as they shall conceive just. [1 p.]

Nov. 7.
Leicester
Abbey.

25. William Earl of Devonshire, [Lord Lieutenant of co. Derby,] to the Council. According to your letter of the 30th April last I have taken a general view of the trained bands of co. Derby, and present to you a true muster roll of the same, containing the names not only of the trained soldiers but also of all those that are charged with horses and private armour, together with a brief of the same roll, containing only their number and the quantity of ammunition now remaining in the magazine. I have also caused the trained bands to be exercised, and put in execution whatsoever else belonged to his Majesty's service. [*Seal with arms.* 1 p.]

Nov. 8.
Whitehall.

Order on the petition of George Henley and Augustine Phillips, who by their petition to the Lords and others, Commissioners for the Delegates, did show that they have obtained a sentence in the Court of Admiralty against half the ship, the Golden Wolf, and half her lading, some five months past, which belonged to the West India Company of Holland, which sentence is by them appealed to your Honours. For that the ship and goods were perishable, and it being 15 months since they were brought into Plymouth, they desired the Lords to appoint Sir John Lambe or some other judge to receive the libel and appeal, and to do other ordinary acts preparatory for a hearing, and to appoint a speedy time for the cause to be heard and determined. Upon which the Lords directed as follows: We appoint to hear this cause on the 16th inst. at 8 a.m. in the Council Chamber, Whitehall, and require the Registrar of the Delegates to give timely notice to the proctor of the Dutch West India Company to attend. Sir John Lambe in the mean time to receive the libel, appeal, inhibition, &c., and to do other acts requisite for preparing the said cause for hearing against that day. Whitehall, 8 Nov. 1639. [*Copy. See Vol. cccliii., p. 117. ½ p.*]

Nov. 8.

26. Petition of Daniel Tyas, mayor, and citizens of Worcester, to Archbishop Laud. There has been time out of mind in the west end of the cathedral church of Worcester an ancient pulpit for daily prayers and preaching of the Word of God, with convenient seats and kneelings for the citizens and others, to which place very great numbers were wont to resort, it being a very populous city. This place for decency and comeliness has been commended by most who have seen it for a graceful ornament to that famous structure, and was approved by your vicar-general in your metropolitical visitation in 1635. Since that time (viz. in 1637) your Grace, as it is informed, ordered that all those seats should be removed, the

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pulpit taken down and removed with moveable seats to the west end of the choir, which was accordingly done, and for a time observed. Owing to the unevenness of this place, which was the belfry, with many doors near the same, it was found very unwholesome for the auditory, especially in winter time, so that the preaching hath been removed into the choir. Now the choir is very unfit, not being capable to receive a sixth part of the auditory, and other ways very inconvenient, as is apparent since the removal thither, by reason of the extraordinary thronging and uneasiness of continual standing both of men and women, to the great hazard of their health, for want of convenient seats, by which means the ancient men and women are constrained to forbear coming thither, with many hundreds more who cannot come nor be contained in that place, by which means, to our great grief, both church, prayers, and preaching are much neglected, and thereby God much dishonoured. Pray that the said pulpit may be restored to its former situation at the west end of the cathedral, its ancient place, and where there is no door for passage, but only a dead wall, against which the mayor and his brethren sat with their backs to it, that thereby the full auditory of this populous city may comfortably meet together for conveniently hearing the Word of God; and so much the rather for that we are informed that that end of the church was enlarged for that purpose by an ancient bishop of this see. *Underwritten,*

26. I. *Bishop Thornborough of Worcester, together with the prebendaries under named do join in this petition, humbly beseeching your Grace to take the same into your grave and gracious consideration.*

26. II. *Endorsed by Archbishop Laud: "The city of Worcester, their petition to me for a remove of the pulpit out of the quire to the west end of the church, with Dr. Potter's answer." [1 p.]*

Nov. 9.
Whitehall:

27. Sir William Becher to Mr. Mottershed at the office of the High Commission Court. The enclosed examinations and letters concern the business of John Trendall, of Dover, who, by order of the Board, is bound to answer his misdemeanours in the High Commission Court. [*Seal with arms. ½ p.*] *Enclosed,*

27. I. *Mayor and Jurats of Dover to Archbishop Laud. We this day took the examination of John Trendall, a freemason, who, with his wife and family, have here lived near three-quarters of a year past, and wrought in Archcliffe Bulwark, near this town, and of late has occasioned conventicles in and about this town, taking upon him there to expound the Scriptures both to men and women, spread sundry opinions repugnant to the doctrine of the Church of England, and refuses to take the oath of supremacy, of which we but yesterday received information. We have committed him to prison for his offences, there to remain until we shall receive command from*

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you otherwise to dispose of him. Upon conference had with our minister, Mr. Readding, we understand that you have been informed concerning Trendall's practices, yet, in respect of the high scandal and insolency expressed by him in public before us and many others apt to be seduced by him, we have presumed to address his and others' exuminations to you, praying that we may receive your command herein for prevention of further mischief likely to be done in this town by him, who has already seduced many and inclined them to his opinions. We have and will bind over such persons to our sessions as have been discovered to have been at his conventicles. Dover, 27th July 1639. [Copy. 1 p.]

27. 1. i. Examination of John Trendall, of Battle Bridge, St. Olave's, London, freemason, aged about 50, taken before Thomas Day, mayor, and the jurats of Dover, the 27th July 1639. He came to this town about the 11th Nov. last, being hired to work in Archcliffe Bulwark. Since his being at this town he has not been at either of the churches to hear Divine Service and sermons, and says that his conscience will not serve him to yield to the worship under the bishops' power there used. He denies that the Lord's Prayer is a prayer, and for the Creed he says he has nothing to do with it, nor doth approve of it. Denies that he has drawn any persons together into conventicles to instruct them in any points of religion, but confesses that some persons have come to him at his house, and that he has been at divers of the inhabitants' houses in this town, being sent for, and has there conversed with them, but refused to declare their names. Signed with the mark of John Trendall. P.S.—His family consists of Ann, his wife; Sarah, aged 10, John, aged about 5, his daughter and son; and Humphry Watts, aged 18, his servant. [Attested copy. 1 p.]

27. 1. ii. Similar examination of Joan, wife of William Tiddeyman. Has known Trendall about three months, and they have often been to each other's houses. On a certain Sunday she and divers other persons were at his house morning and evening, on which day Trendall took a text from Scripture and instructed them therein. He maintained that Christ is Lord and King of his Church, which is his body, and the like doctrine. They sang the 118th Psalm, from the 15th verse to the end, and likewise the 84th Psalm. Hears that Trendall maintains that the Lord's Prayer is not a prayer but the ground or form of prayer, and that Christ's ordinances are not in our Church. She herself has found the same, and finds

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great comfort in Trendall's company and by his instruction. Heard that William Tatnell did the same Sunday write what Trendall declared unto them. Has heard Trendall say that such ministers as have their power from the bishop have it by false power. [Attested copy. 1 p.]

27. I. iii. The like of John Haselwood, the younger, of Dover, shoemaker. Confesses he was at Tiddeyman's house about Sunday month or three weeks, and heard Trendall expound a text from the Scriptures, and has heard him also say that our ministers come not into the Church according to Christ's rule and order. He was absent from church the two last Sundays, on one of which he was walking and sitting under the Castle Hill and on the other in his house. [Attested copy. $\frac{3}{4}$ p.]

27. II. Examinations of Edward Goodwin and William Tatnell taken before Thomas Day, mayor, and jurats of Dover the 29th July 1639. Edward Goodwin, of Dover, shoemaker confesses that about five weeks since, being Sunday, about 8 or 9 o'clock in the morning, he went to William Tiddeyman's house, in that town, Tiddeyman being then at sea, and there stayed until about 11 o'clock at noon to hear what reasons John Trendall could give that it was not lawful to hear our ministers preach in our churches. He discoursed with Trendall, but could not come to Trendall's opinion. About 1 o'clock of the same day he went to Tiddeyman's house again, where he found Trendall, with divers persons, all unknown to him, except William Tatnell and John Haselwood, of Dover. Trendall then and there took a text from Scripture, the words he now remembers not, and expounded the same about one hour and a half, and afterwards fell upon the said point, that it was unlawful to hear our ministers preach in our churches, his main reason being that the ministers were made by bishops, but the examinant could [not?] be of his opinion, but was resolved to take the opinions of Mr. Ward and Mr. Swann therein. Further, he says that yesterday week, in the forenoon, he was at his parish church, and in the afternoon, going to evening prayer, which he understood to be ended, there being no sermon, and hearing that Trendall was to be at Tiddeyman's house, he went there and found Trendall, John Broom's wife, Tiddeyman's wife, John Hogben's wife, widow Lee, Thomas King, and others of Trendall's acquaintance unknown to examinant. That Trendall, after his prayer, wherein examinant remembers not that he prayed for the King, took a text from the Old Testament, the words he remembers not. Trendall then expounded the same for about an hour and a half, and an hour after

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they had conference with Trendall, who maintained it was not lawful to hear our ministers preach in the churches. William Tatnell, of Dover, shipwright, was present at the morning meeting above referred to, and confirms Goodwin's statement. Remembers not that Trendall prayed for the King. He took his text from Isaiah LI. 7, and raised two points of instruction thereupon. He then gave reasons thereof, and made application of the same. Went again in the afternoon, when Trendall's text was 1 John III. 1, of which discourse examinant took notes. After the exposition, questions were moved by those present. Tatnell demanded of Trendall whether that which was able to beget faith was not able to nourish it, which Trendall denied not but gave not any satisfactory answer. Trendall maintained that our ministers were unlawfully called, and held it unlawful to frequent our churches. Examinant does not in any way adhere to Trendall's opinions. [Attested copy. 3½ pp.]

27. III. *Similar examinations of Thomas King, of Allhallows, Londonwall, freemason; Ann, wife of John Broom; Susan Lee, widow; Elizabeth, wife of John Hogben; and Joan, wife of Nicholas Cruz, all of Dover, who appear to have been at Tiddeyman's house on the day mentioned in the preceding examinations. The only additional information is that contained in Ann Broom's statement that in the afternoon, there being no sermon at St. Mary's Church, she went to Tiddeyman's house, where divers were present, and that Trendall took his text from 12 Romans 1. Being asked whether Trendall did not then discourse touching the unlawfulness of our ministers, whether the Lord's Prayer were a prayer or not, and concerning Church government, saith he then spake somethings thereof, but used no persuasion to her. [Attested copy. 3 pp.]*

27. IV. *Archbishop Neile of York to Sir Dudley Carleton. I received your letters of the 3rd August, signifying the pleasure of the Council that I should certify to their Lordships the proceeding held with the blasphemous heretic Wightman, who was burnt at Lichfield whilst I was bishop there. I desire to understand from you in what particulars the Lords require to be certified. For the generality of my proceedings with him the Archbishop of Canterbury can inform them, for he was with me and assisted me in all the proceedings against Wightman from the beginning to the end. If it be their Lordships' pleasure that I certify particularities, viz., what his blasphemous opinions were, what sentence was given against him, and what certificate thereof was made to his*

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Majesty, whereupon issued his Majesty's writ to burn him, I must crave some time to look up my papers, which are now at my house at Bishopthorp, and myself being at Cawood, some six miles from thence, and it will require some time to transcribe copies of them. It may please you to understand that this Wightman discovered himself by a petition delivered at Royston to my then master King James, who, finding that he was of my diocese, sent him to me to my dwelling, then at Westminster, with command to commit him to the Gatehouse and to take examinations of his several opinions under his own hand, which I did, using many conferences with him by myself and by other learned divines to make him see his blasphemous heresies and to reclaim him. This course of conference was held with him from about a week after Easter till the middle of October, in all which time no good could be wrought upon him, but he became every day more and more obstinate in his blasphemous heresies, whereupon the King commanded me to send him down to Lichfield and myself to go after him, there to proceed against him as a blasphemous heretic. At my coming to Lichfield, being there assisted with sundry divines of very good note, we began with him by divers days conference, but to no purpose. Then we proceeded in a legal way against him in the Consistory, and after sundry days past in a legal manner of proceeding and three assignations for sentence, we appointed a day for sentence, which we executed in the body of the church, and before the sentence denounced, myself began the business with a sermon and confutation of his blasphemies against the Trinity of Persons in the Unity of the Eternal Godhead, the other divines who assisted me, each confuting one of the points of his blasphemous opinions. To all which he no way relenting, but persisting in his blasphemies, I read the sentence against him, and denounced him to be a blasphemous heretic, and to be accordingly certified to the secular power. Whereupon his Majesty's writ was directed to the sheriff of the county of the city of Lichfield to burn him as a heretic. Upon the writ, he being brought to the stake, and the fire [having] scorched him a little, he cried out that he would recant. The people thereupon ran into the fire and suffered themselves to be scorched to save him. There was there prepared a form of recantation offered to him, which he there read and professed before he was unchained from the stake. Hereupon he was carried back to the prison, and after a fortnight or three weeks time of pausing upon his recantation he was brought into the Consistory, there to declare his recantation and to renounce his blasphemous heresies in a legal way, that the same might remain

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apud acta in the court, done deliberately upon better resolution and in truth and not upon terror of the fire. When he came into the Consistory he blasphemed more audaciously than before. His Majesty being informed of this his behaviour commanded the writ for the burning of him to be renewed, which was sent down and executed, and he died blaspheming. This is that concerning the proceeding against Wightman that on the sudden I can relate, which I pray you to present to their Lordships, and if I may by the next post understand from you what further information or particulars their Lordships will require, I will do my endeavour to perform their Lordships' commands. Carwood Castle, 9th August 1639. [Seal with arms. 2 pp.]

Nov. 9. 28. Affidavit of John Penyall, Messenger of the Chamber in Ordinary, that on the 8th inst., by virtue of a warrant of the Council, he attached John Burd, of Blackfriars, a professor of physic, who resisted. [$\frac{1}{3}$ p.]

Nov. 9. 29. Memorandum touching arrears of the Earl of Lindsey and Lord Willoughby in their payments towards the drainage of the Fen lands; also a note of sums payable by Sir Philip Tyrwhit and Ralph Euers. For satisfaction of arrears the Earl of Lindsey sold 157 acres and Lord Willoughby 118 acres to Mr. Staughton. [1 p.]

Nov. 9. 30. Sir William Russell to Nicholas. My servants have forborne to make out a new certificate this week because they have received but two sums upon the last writs, viz., 80*l.* from the sheriff of Kent and 50*l.* from the mayor of Hereford; and upon the 1637 writs, 40*l.* 6*s.* 6*d.* from the late mayor of Hereford, and 50*l.* from the sheriff of Worcester. P.S. *by Edward Fen.*—Since writing the above, 300*l.* is brought in by the sheriff of Oxford. [$\frac{1}{2}$ p.]

Nov. 9. 31. Account of ship-money for 1638 levied and remaining in the hands of the sheriffs; total 2,937*l.*, making, with the 45,659*l.* paid to Sir William Russell, 48,596*l.* collected. The arrears stood as follows: 1635 = 4,536*l.*; 1636 = 7,181*l.*; 1637 = 19,811*l.*; 1638 = 24,090*l.* [1 p.]

Nov. 10. 32. List of the sheriffs of England and Wales for 1639. [$1\frac{1}{2}$ p.]

Nov. 10. 33. Similar list in the handwriting of Nicholas. In the margin he has made notes of business to be brought before the Council, including the following:—Read letter from the sheriff of Somerset. Flint has paid all. Sheriffs ill chosen. Account of contribution money. That in case the mayors of corporate towns shall not assess and levy the sums charged on them, then the sheriffs of the counties respectively shall enter, assess, and levy. Query whether the four north[ern] counties shall be exempted this year as in the last. [1 p.]

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Nov. [10]. 34. Observations, by Nicholas, concerning the sheriffs listed by the judges. These notes relate to the choice of sheriffs in the counties of Wilts, Somerset, Gloucester, and Lincoln. [1 p.]

Nov. 11. 35. The King to General Riven [Patrick Ruthven Lord Ettrick, Governor of Edinburgh Castle]. The disorders in our kingdom of Scotland still continuing, and the castle of Edinburgh, committed to your trust, being a place of such consideration as that it concerns us very highly to have a watchful eye upon it, we require you not only to use extraordinary care in securing it against any surprise, but to give us an account of the present state of the garrison, ammunition, and victuals there, and for how long time you are already provided. Further, our pleasure is that before your provisions fail you shall force the town by battery of ordnance or otherwise, if by fair means they will not yield to it, to supply you with victuals or other provisions at reasonable rates and prices upon our account, that so ye be not forced to spend your own store until a formed siege be laid to you, for doing whereof this shall be your warrant. And for the better performance of this service we have commanded our commissioner there to give you all possible assistance in this or anything else that may concern your charge and the safety of that place, whensoever you shall require it, and therefore we do expect that you shall keep it with the hazard and loss of your life, according to that great trust we have reposed in you. [*Draft by Sec. Windebank, with alterations and additions in the King's hand.* 1½ p.]

Nov. 11. 36. The same to John Earl of Traquair. We have now, by our special letters to General Riven [Patrick Ruthven Lord Ettrick], required him to give us account of the present state of our castle of Edinburgh, which is a place of such importance as our affairs in that kingdom are highly concerned in the safety thereof. And because upon the failing of victuals or any other provision there your assistance may be of great use to him in making way for supplies in case of opposition or resistance from the town, we require you to be from time to time aiding and assisting to him, not only in this but in anything else concerning our service and his charge there, as often as he shall desire it. Further, we require you to send our letters that go herewith to General Riven by some trusty hand, and to let him know that we expect a speedy answer from him. *Margin*: "A direction to him to send this letter by a safe hand, and to cause it to be read to the governor." [*Endorsed*: "With this was sent the duplicate of his Majesty's letter of the same date to General Riven, governor of the castle at Edinburgh, and both of them committed to the conveyance of the Lord Marquis Hamilton by an express." *Draft in Windebank's hand.* 1 p.]

Nov. 11. 37. Other drafts of the two preceding letters. That of the first calendared appears to have been altered by Windebank only. [2 pp.]

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Nov. 11.
Lambeth.

38. Archbishop Laud to Bishop Hall of Exeter. The rest of your letter is fitter to be answered by my own hand, and so you have it. And since you are pleased, so worthily and brother-like, to acquaint me with the whole plot of your intended work, and to yield it up to my censure and better advice (so you are pleased to write), I do not only thank you heartily for it, but shall, in the same brotherly way and with equal freedom, put some few animadversions, such as occur on the sudden, to your further consideration, aiming at nothing but what you do: the perfection of the work in which so much is concerned. And first for George Graham, I leave you free to work upon his baseness and his ignorance as you please, assuring myself that you will not depart from the gravity of yourself or the cause therein. Next, you say in your first head, that episcopacy is an ancient, holy, and divine institution. It must needs be ancient and holy, if divine. Would it not be more full went it thus?—So ancient as that it is of divine institution. There you define episcopacy by being joined with imparity and superiority of jurisdiction. This seems short, for every archipresbyter's or archdeacon's place is so. Yea, and so was Mas[ter] Henderson's in his chair at Glasgow. Unless you will define it by a distinction of order, and draw the superiority, not from that jurisdiction which is attributed to bishops *jure positivo* in their audience of ecclesiastical matters, but from that which is intrinsical and original in the power of excommunication. Again, you say in that first point, that where episcopacy has obtained, it cannot be abdicated without violation of God's ordinance. This proposition, I conceive, *est inter minas habentes*, for never was there any church yet where it has not obtained. The Christian faith was never yet planted anywhere, but the very first feature of the body of a church was by or with episcopacy. And wheresoever now episcopacy is not suffered to be, it is by such an abdication, for certainly there it was *a principio*. In your second head you grant that the presbyterian government may be of use where episcopacy may not be had. First, I pray consider whether this concession be not needless here, and in itself of a dangerous consequence. Next, I conceive, there is no place where episcopacy may not be had, if there be a church more than in title only. Thirdly, since they challenge their presbyterian fiction to be Christ's kingdom and ordinance, as you express it, and cast out episcopacy as opposite to it, we must not use any mincing terms, but unmask them plainly; nor shall I ever give way to hamper ourselves for fear of speaking plain truth, though it be against Amsterdam or Geneva, and this must be sadly thought on. Concerning your *postulata*, I shall pray you to allow me the like freedom, among which the two first are true, but, as expressed, may be taken too restrictive, for episcopacy is not so to be asserted to apostolical institution as to bar it from looking higher and from fetching it materially and originally in the ground and intention of it from Christ himself, though, perhaps, the apostles formalized it. And here give me leave a little to enlarge. The adversaries of episcopacy

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are not only the furious Aërian heretics, out of which are now raised Prynn, Bastwick, and our Scottish masters, but some also of a milder and subtiler alloy, both in the Genevian and Roman faction. And it will become the Church of England so to vindicate it against the furious Puritan, as that we lay it not open to be wounded by either of the other two more cunning and more learned adversaries. Not to the Roman faction, for that will be content it shall be *Juris Divini mediati*, by, from, for, and under the Pope, that so the government of the Church may be monarchical in him, but not *immediati*, which makes the Church aristocratical in the bishops. This is the Italian rock. Not to the Genevan, for that will not deny episcopacy to be *Juris Divini*, so you will take it *ut suadentis vel approbantis*, but not *imperantis*, for then they may take and leave as they will, which is that they would be at. Nay, if I much forget not, Beza himself is said to have acknowledged episcopacy to be *Juris Divini Imperantis*, so you will not take it as *universa-liter imperantis*, for then Geneva might escape *et citra considerationem durationis*, for then, though they had it before, yet now, upon wiser thoughts, they may be without it, which Scotland says now, and who will may say at [it] after, if this be good divinity; and then all in that time shall be democratical. I am bold to add this, because I find in your second *postulatum*, "that episcopacy is directly commanded," but you go not so far as to meet with this subtilty of Beza, which is the great rock in the lake of Geneva. In your ninth *postulatum*, that the accession of honourable titles or privileges makes no difference in the substance of the calling. If you mean the titles of archbishops, primates, metropolitans, patriarchs, &c., 'tis well, and I presume you do so. But then, in any case, take heed you assert it so as that the faction lay not hold of it, as if the bishops were but the title of honour and the same calling with a priest, for that they all aim at, &c. The eleventh *postulatum* is large, and I shall not repeat it, because I am sure you retain a copy of what you write to me, being the ribs of your work. Nor shall I say more to it than that it must be warily handled, for fear of a saucy answer, which is more ready a great deal with them than a learned one. I presume I am pardoned already for this freedom by your submission of all to me, and now I heartily pray you to send me up, keeping a copy for yourself against the accidents of carriage, not the whole work together, but each particular head or *postulatum* as you finish it, that so we here may be the better able to consider of it, and the work come on the faster. [*In Laud's handwriting, who has endorsed it: "My answer to the heads of the Bishop of Exeter's book intended for episcopacy." 2½ pp.*]

Nov. 11.

North
Solaercotes.

39. Jo[hn] Gray to Richard Harvey. I wrote to you about the beginning of the term, but not knowing whether the letter came to your hands, I trouble you with these lines. I was glad to hear that you and Mr. Phillipps had spoken with Mr. Stebbin, and hope that he will proceed in the dispatch of my business this term. I beseech you both put him in mind thereof and afford him your best further-

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ance in it. What Mr. Newstead has done in his business I have fully certified in the enclosed letter to Mr. Phillipps. The bearer, Mr. Butler, hoping that the heat of anger will be over, is come up to make his own apology to Mr. Porter; he is very confident of his own integrity in his account. [*Seal with device. 2 pp.*]

Nov. 11. 40. Statement of the distribution of ships to the several shires of England and Wales, with their tonnage, number of men, and charge, as the same was ordered in 1637, together with a list of the alterations for this present year (1639), in the number of men and proportion of tonnage, being a fifth part less than for 1637. Totals for 1637, 45 ships, 8,428 men, 21,040 tons, 210,400*l.* charge. Totals for 1639, 45 ships, 6,738 men, 16,832 tons, 210,400*l.* charge. *Nicholas has added*, "which is 4,208 tons less than was required by the writs for 1637." [2 *pp.* *A similar list of ships for 1639 is printed in Rushworth, iii., pp. 975-6.*]

Nov. 11. 41. Similar statement with a list of the variation of the sum charged upon each county for this year (1639) being increased about a sixth part more in money than was charged in 1637. Totals for 1637, 44 ships, 8,330 men, 21,040 tons, 210,400*l.* charge. Totals for 1639, 45 ships, 8,330 men, 21,040 tons, 254,760*l.* charge, which is about 44,360*l.* more than was charged on the counties in 1637. *Margin by Nicholas*: "This list was not approved of." [2 *pp.*]

Nov. 12. Warrant to pay to Bishop Williams of Lincoln 500*l.*, for discharging his expenses in law suits. [*Docquet.*]

Nov. 12. Similar warrant to pay an allowance of 100*l.* per annum to John Tredecant, keeper of his Majesty's gardens at Oatlands, payable quarterly from Midsummer 1638 during his Majesty's pleasure, in the place of John Tredecant, his father, deceased. [*Docquet.*]

Nov. 12. The like for payment of 166*l.* 9*s.* to Francis Wetherid, surveyor of his Majesty's stables at the Mews. [*Docquet.*]

Nov. 12. Presentation of Charles Fotherby, clerk, to the rectory of St. Ives in the diocese of Exeter void by the death of the last incumbent, and in his Majesty's gift *pleno jure*. [*Docquet.*]

Nov. 12. Presentation of Guy Carleton to the rectory of Arthuret in the diocese of Carlisle void *de jure* and in his Majesty gift *pro hac vice* by the minority of Richard Netherby, his Majesty's ward. [*Docquet.*]

Nov. 12. 42. Bishop Morton of Durham to Sir Henry Vane. According to his Majesty's reference by Sir John Coke, I certify that there are three patents for tobacco for the city of Durham and suburbs thereof in the hands of one Tunstall, and three more in the hands of Ayrson, Goodheir, and Cookeson. These latter sell in their own shops and houses, not licensing any to retail. Tunstall authorises those who buy of him to retail, and questions those who buy of other patentees, paying rent to his Majesty according to their patents. The parties questioned being retailers, buy no tobacco but of such

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patentees as are licensed to sell under the Great Seal, and they buy the same in twopenny papers and not otherwise. They presume it lawful for them to sell tobacco in their own houses bought of any of the patentees, as well as if they bought it of Tunstall. Alexander Easton and Overley, messengers, have attached Richard Wilkinson, John Hall, Thomas Harrison, and other retailers of tobacco, and have made such unreasonable demands of them as are specified in the annexed paper, yet offered to free them from their bonds of appearance if they would satisfy their said unreasonable demands and agree with Tunstall, who requires of Wilkinson 5*l.*, of Hall 10*l.*, and of Harrison 20*l.*, for his damage sustained for their buying of the other patentees. After I understood the premises, I forbade the messenger to proceed any farther against the persons attached, but required two of them, in the name of the rest, to appear before the Lords, because of the excessive charge that would fall upon the poor men, Tunstall threatening that 100 more are to be questioned. What disadvantage may fall to his Majesty and subjects where men shall be punished, although they buy of other patentees, is considerable, whereas rather than they will be constrained to buy only of Tunstall they will buy none at all. I have made bold to present you with this narration that these poor men may be freed from further molestation and from such unreasonable charges as will ensue if they shall be compelled to make their several personal appearances as by bond they are bound to do. [*This letter is headed: "To the King's most Excellent Majesty." Seal with arms. 2 pp.] Annexed,*

42. 1. *Certificate by Thomas Harrison, Richard Wilkinson, Thomas Sheffield, and William Harper, of the impositions to which they have been subjected. [½ p.]*

Nov. 12.
Auckland
Castle.

43. Bishop Morton of Durham to [Sec. Coke]. His Majesty was pleased to make a reference to the Dean of Durham and myself, or in the dean's absence to me alone, (as your honor may remember it being according to your own directions) which reference concerned the petition of Richard Wilkinson and twelve more, within the city and suburbs of Durham, complaining against Thomas Tunstall, alderman of the same city, for grievously molesting them by summoning them to appear before his Majesty's commissioners in the tobacco office at London, but as Tunstall pretends for wronging his patents which he has under the Broad Seal out of the said office. These are, according to my duty after the examination of the case, to certify as follows: Namely, that the grievance which Tunstall says he sustains is only that the other three patentees and farmers to the King sold their tobacco in their own houses to vintners and ale-house keepers, such as the above petitioners who vented it in their own houses, these latter seem to me excusable because they have in these respects only followed the general practise of this and other counties, they likewise sell Tunstall's tobacco in the same manner as that purchased of the other patentees, but more especially I conceive them excusable because of the answer which I received from

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Tunstall himself, when asked whether he would at any time have questioned the petitioners for selling their tobacco as above specified, except it where he sought to relieve himself of some part of the money wherewith he stands yet charged in arrear to his Majesty, and he answered me, that this was the only cause of his summoning the many and very poor petitioners. These being the premises I refer the conclusion to your honor's own wisdom. [1 p.]

Nov. 12.

44. Philip Burlamachi to Sec. Windebank. I much wonder that Sir John Wintour, secretary to the Queen, troubles his Majesty and crosses my humble suit. He knows well that I ever told him that for the 2,600*l.* he is to have there was and is left in the Exchequer tallies to be levied upon the alum rent for 3,000*l.*, which I have left there for his satisfaction, but desired to make an end with Mons. Vantelet, Mons. Coignet, and Sir Abraham Williams altogether, which could be done with the debt of the Earl of Carlisle, of whom I am to have above 5,700*l.* principal and interest, money lent him by his Majesty's express command, and by his royal reference to the feoffees ordered them to pay me. I am willing to deposit the bond of 4,000*l.* in their hands for security of the debt, although for Mons. Vantelet and M. Coignet, their debts being 1,375*l.* and 1,084*l.*, I never received a penny, but these are yet to be received either from his Majesty or from the French King. It is true that I became their debtor at the earnest entreaty of the late Lord Treasurer, who desired me to take upon myself the whole sum due to his Majesty, as if I had received the same, although there was near 7,000*l.* to be brought to his Majesty's charge for loss upon the price of the assignment, and some charges which he desired me to leave out of my account, and solicit the recovery of those losses and charges which the Frenchmen owed by the arrears of the rents assigned in satisfaction of the money due to his Majesty, of which to this day, by the hinderance that has been brought to the solicitation, I could receive no part, although there was a sentence of condemnation of near 2,000*l.* This I allege only to show that the money being yet due to me, either by his Majesty or by the French King, and that their debt arising out of that very same money which is due to me, there is no great reason I should be compelled to pay before I receive. Nevertheless, to free his Majesty, I tender to deposit the bond of the Earl of Carlisle into Sir Abraham Williams' or Mr. Vantelet's and Mr. Coignet's hands for their security, until I receive satisfaction of his Majesty or of the French King of the money due, which they ought not to refuse, seeing that the debt owing to me by the Earl of Carlisle, if I do not receive satisfaction of his administrators, his Majesty is bound to see me satisfied. The bond is extant and an account under the late Earl of Carlisle's hand acknowledging the bond, which in all reason ought to satisfy them for security until I can receive or otherwise settle my accounts with his Majesty, which I beseech you to represent to the King to satisfy his royal mind and to take off all unjust rumours of my humble suit. [1½ p.]

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Nov. 12.
Office of
Ordnance.

45. Officers of Ordnance to the Council. According to your direction we have examined our books of accounts, and find that Mr. Cordwell, his Majesty's gunpowder maker, has brought into the Tower of London, from the 17th Nov. 1638 to the 10th inst., being the third year of his contract, 240 lasts of gunpowder. [1 p.]

Nov. 13.

Petition of Robert Earl of Ancrum, your Majesty's servant, to the King. Your Majesty was pleased to grant to petitioner the duties payable by the Company of Starchers for a term of years, whereof three are yet to come, and your Majesty received 200*l.* per annum thereby. Petitioner has so employed both the care and industry of himself and others, and laid out all the benefit he was to receive thereby, that he has made it a business of value and profit, which others perceiving have obtained a grant of a new corporation for that business and have undertaken to give your Majesty for the first year 1,500*l.*, for the next 2,000*l.*, and afterwards 3,500*l.* per annum. In consideration that petitioner has brought the said business to be of such consequence and profit to your Majesty, and having a grant thereof and of the importing of foreign starch for three years yet unexpired, and for that these two last years have been spent in differences between the old and new company, by which means petitioner has not received one penny for that time, prays your Majesty to give warrant to the Attorney-General for the preparing of some grant, that petitioner may not be damnified by any new grant made or to be made, but that he may have the benefit thereby in such sort as he should have had by the intent of his former grants yet unexpired, and also for his remedy against those who have made starch out of the joint stock.
Underwritten,

I. Reference to the Attorney-General, who is to take such course for the petitioner's indemnity as he shall find fit. Whitehall, 13th Nov. 1639. [Copy. See Book of Petitions, Vol. ccccviii., p. 112. 1½ p.]

Nov. 13.

46. Francis Earl of Bedford to Sir William Becher. There was an order made at the Board, upon the petition and complaint of certain labourers in the Fens, for their salary and wages that was, as they alleged, detained from them, and upon proof found the reason to be that several adventurers had not paid in their scots and shares, and, amongst the rest, Sir Thomas Stanley was found to be in great arrear, and had a messenger sent for him. It now appearing to me by the certificate of Anthony Hammond, who adventured for a whole share of 4,000 acres, that Sir Thomas Stanley had the fourth part of that share, and that there was but 62*l.* 10*s.* for Sir Thomas to pay, which he has paid to me this day, and it shall be sent into the country for the labourers, so soon as I can meet with the paymaster for those works, I desire of you that Sir Thomas having cleared his arrears he may be taken off from all contempts for this occasion. [Seal with arms. ¾ p.]

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Nov. 13.
Lambeth.

47. Archbishop Laud of Canterbury to the Dean and Chapter of Winchester. I promised you, as soon as I could conveniently, that I would wait upon his Majesty and take his final resolution which way I should proceed for putting an end to that ill custom of choice of copyholds to be taken by the dean and the officers; a custom which either is, or certainly may be, turned to a great abuse and oppression of the tenants; a custom which has been taken up in no other church, nor can be thought fit to be continued in yours. To fill a chapter in your statute book with reciting this custom and annulling it was not thought convenient, because it could hardly be so drawn up but that it must lay a great imputation both upon the beginners and upon the continuers of that custom, which I was very willing to avoid. His Majesty, therefore, has now commanded me to write these letters, and you to register them and punctually to obey them. And that which his Majesty commands is this: that since the copyholds ought to be a part of the dividend, and that in all such dividends the dean has but a double part to every prebendary, his Majesty is pleased in favour of you, the present dean and chapter, to allot out of the fines of reversion of copyholds for the three years last past, ending at this present audit, this proportion following, viz., in the first year 50*l.* to the dean and 40*l.* apiece to each officer, and in the second year 40*l.* to the dean and 30*l.* apiece to each officer, and in the third year 20*l.* to the dean and 10*l.* apiece to each officer, and then this ill custom of copyholds or any proportion of money for them is to cease finally and for ever, as you and your successors will answer it at your peril. And although I well understand what great advantage the dean has by this gracious order, in regard he is in this reward every year and a prebend but once in four years, and yet some of the prebends left out, which his Majesty was made acquainted with. Yet his Majesty, for reasons best known to himself, was willing to do the present dean this favour, and so to put an end to this ill custom. P.S.—I have, by his Majesty's command, sent a copy of these letters to my Lord of Winchester, your visitor. I have likewise sent you down your statutes, to which you are severally to take your oaths for obedience to them from this present audit. [*Draft.* 1 *p.*]

Nov. 13.

48. Note of the names of persons who were assessed towards the making of the great sewer to convey the soil from his Majesty's palace at Whitehall, together with their several answers. Four absolutely deny [payment], seven delay [payment], and three will answer at the Board. The Earl of Salisbury appears to have been assessed 101*l.* 8*s.*, and a Mr. Trench 119*l.* 14*s.* [$\frac{3}{4}$ *p.*]

Nov. 14.

Petition of the Artists of the New Company of Starchmakers of London, Bristol, and Norwich and the rest of the kingdom to the King. Upon a former petition petitioners obtained a grant of divers privileges to the said company, but Leonard Stockdale and one Smith, with others not exercised in the art, by indirect dealings and large proffers to your Majesty and others obtained the same

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grant, in the name of the artists of the Old Company, but which large undertakings they have not performed, neither are able to perform, as appears by their late petition to your Majesty, and thereby have professed themselves willing to yield up their charter. Smith and Stockdale, contrary to the intention of their grant, have admitted into their company about 30 persons, mostly inexperienced, who bear the only rule and government of the said company and are no ways able to perform what they have undertaken. The parties named also lay on the business divers unnecessary charges and superfluous expenses which redound on petitioners' poor estates, impoverishing them and their families to such an extent that they were driven to petition the company, who answered that petitioners were undone by your Majesty and not by them. Pray that your Majesty will either fully hear the business in person or else refer the examination of the former proceedings and accompts of Smith, Stockdale, and the rest of the company to some Lords of the Council, who may certify your Majesty the state of the business before any proceedings be had upon the petition of the late undertakers, that so your revenue may be made certain and petitioners relieved. *Underwritten,*

1. *Reference to the Archbishop of Canterbury, the Lord Keeper, Lord Treasurer, Lord Privy Seal, and Lord Cottington, who are to hear petitioners and settle the business for his Majesty's best advantage, or else to certify their opinions thereof, whereupon his Majesty will signify his further pleasure. Whitehall, 14 Nov. 1639. [Copy. See Book of Petitions, Vol. ccciii., p. 114. 1 p.]*

Nov. 14. 49. Sec. Windebank to the Scotch Lords, [the Earls of Dunfermline and Loudoun?]. I am commanded by his Majesty to send this messenger in diligence after you, who is, by virtue hereof, to make search for all letters, writings, and papers whatsoever which you or your servants have or which are in any of your trunks, cloak-bags, or valises; all which the bearer is to bring away presently to his Majesty. And his Majesty has expressly commanded me to assure you that this is not done for any disrespect to your persons, but merely upon a necessity of his affairs and service at this time, which you in wisdom will, I doubt not, consider and readily conform yourselves to his Majesty's will and pleasure herein. [*Draft. 1 p.*]

Nov. 14. 50. Bishop Montague of Norwich to [Sir John Lambe]. There is like to be a suit betwixt the Ch[apter] of Westminster, now in pupilage, and me, about the parsonage of West Halton in Lincolnshire, void by the death of Dr. Lincoln. I gave Dr. [David] Stokes of Windsor an advowson of it when I was last in London. I desire that institution be not given to the Ch[apter] of West[minster's] clerk, or if it be, that I may have leave to bring my *Quare impedit* in the case, which I heartily desire you to intimate to my Lord's Grace [of Canterbury], to whom I would have written, but that I know not whether he, his vicar-general, or you, in suspension of the bishop,

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give institution. My right is unquestionable, and I hope shall be indefeasible. Edward VI., by charter dated April 11th, 1550, [granted] in augmentation of the possessions and revenues of the bishopric of Norwich, at the instance of Thomas Thirleby, first and last Bishop of Westminster, whence haply may proceed their pretext, at his remove to Norwich, amongst other things the patronage of the rectory of West Halton, co. Lincoln. It is valued at 16*l.* in the Exchequer. It was intruded upon, being far off, and recovered by writ of *Quare impedit* in 1613 by Bishop Jegon, who collated it upon William Lincoln, whose ungracious son goes about to defeat the Bishop of Norwich thereof, but he shall carry it hardly I promise him. Pray remember my service to his Grace and intimate this state to him. [*Endorsed by Sir John Lambe. 1 p.*]

[Nov. 14?]. 51. Reasons against consenting to the prorogation of the Scotch Parliament now in session at Edinburgh, and against the Commissioner [Traquair's] prorogating the same without consent [of the Estates]. [*Copy by Sec. Windebank. 6½ pp.*]

[Nov. 14?] 52. Bill read in the Scotch Parliament at Edinburgh, entitled "An Act for the relief of the common charge." [*Draft. 4 pp.*]

Nov. 14. 53. Note by Sec. Windebank of contributors to the proposed loan, being chiefly persons holding legal and official appointments. [*Some alterations in the King's hand were made in the list in the following January. 1½ p.*]

Nov. 14. 54. Extract of proceedings in the High Commission Court this day. John Trendall of Dover, Kent, being three several times, viz., at the first sitting, middle, and rising of the Court, publicly called for, appeared not, and thereupon, inasmuch as Trendall was by order from the Council enjoined to make his appearance before and attend on the commissioners of this court and came not, Mr. Knight, the registrar, was required by the court to attend the Clerk of the Council and to certify Trendall's contempt. [*Attested Copy. 1 p.*]

Nov. 15. 55. Petition of James Duppa to the King. Beseeches his Majesty to cast his eye upon this remonstrance, which shews petitioner's condition in the prosecution of malting and brewing, a business as it promised a great revenue to his Majesty, so has it received as great opposition, but that it was good and lawful petitioner needs not acquaint your Majesty, since he believes what was said against it was of so small value. The business of itself being of such legality and profit, and finding so much opposition, could not but be very chargeable to petitioner in the settling thereof. In a table he details his expenses from the 4th Feb. 1636 [-7], the date the commission began, which amount to 1,890*l.* He further prays for allowance of former charges from 1629 to the date of the commission, being above 3,000*l.* Petitioner knows he shall miscarry if his Majesty himself judges not his cause, and begs his Majesty will reward his honest and faithful endeavours, and that he will remember the

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true cause of the failure of this business. Whereas sundry men, finding that brewing is set at liberty, have brought in their licences, and are contented with the loss of their fines and of such rents as they have paid, so that their bonds may be returned to them, petitioner prays that he may be suffered to return them their bonds upon rendering back their licences, or else they threaten to arrest and sue him, also that his Majesty would declare what favour and grace petitioner may receive. *Underwritten,*

55. I. *Reference of the above, together with the reasons annexed, to the Lord Treasurer, who, calling to him the Attorney or Solicitor General, is to consider of them and of the allowances desired, and to certify his Majesty his opinion of the whole business, whereupon his Majesty will signify his further pleasure. Whitehall, 15th Nov. 1639. [1 p.]*

Nov. 15.

56. Petition of William Ward, vicar of Norton-juxta-Daventry, co. Northampton, to Archbishop Laud. Petitioner sustained a long suit for sixteen years against powerful adversaries, to the exhausting of his estate, to recover the vicarage of Norton aforesaid to the Church, from whence it has been detained above 100 years. Whereas his Grace was pleased so far to commiserate petitioner's case as to encourage him with hope of some addition of another benefice, whereby to repair his estate, and furnish him with a dwelling, he not being able as yet to discover any house or glebe belonging to his vicarage, prays his Grace to remember petitioner in such manner as to him shall seem meet. *Underwritten,*

56. I. *Reference to Sir John Lambe to peruse the above petition, and to give the petitioner what encouragement he can, as occasion shall be offered for his just relief. Nov. 15th, 1639. [1 p.]*

Nov. 15.

57. Petition of Thomas Nason and Robert Joyner, vintners, to the Council. Whereas Mr. Launt, Mr. Johnson, and other merchants have sent petitioners 12 pieces of Spanish, or rather medium wines, for some of which they require 19*l.* a piece, and for the rest 17*l.* a piece, the said wines being altogether unvendible. Petitioners have yielded to pay the merchants' demands for so many pieces as are merchantable, or to give the merchant a proportionable sum to carry the same away again, which they refuse to condescend unto, saying that if those pieces of wine were but worth 40*s.* a piece they would make petitioners pay or else shut up their doors, and have caused them to be taken into the messengers' custody, where they still remain. Although but young beginners, they have more pieces of wine put upon them by the merchants than others of their neighbours being ancient house-keepers. Pray the Lords to refer the examination of the premises to Mr. Lessland, purveyor of his Majesty's wines, that he may certify his opinion of the said wines, and in the

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meantime to discharge petitioners out of the messengers' hands.
Underwritten,

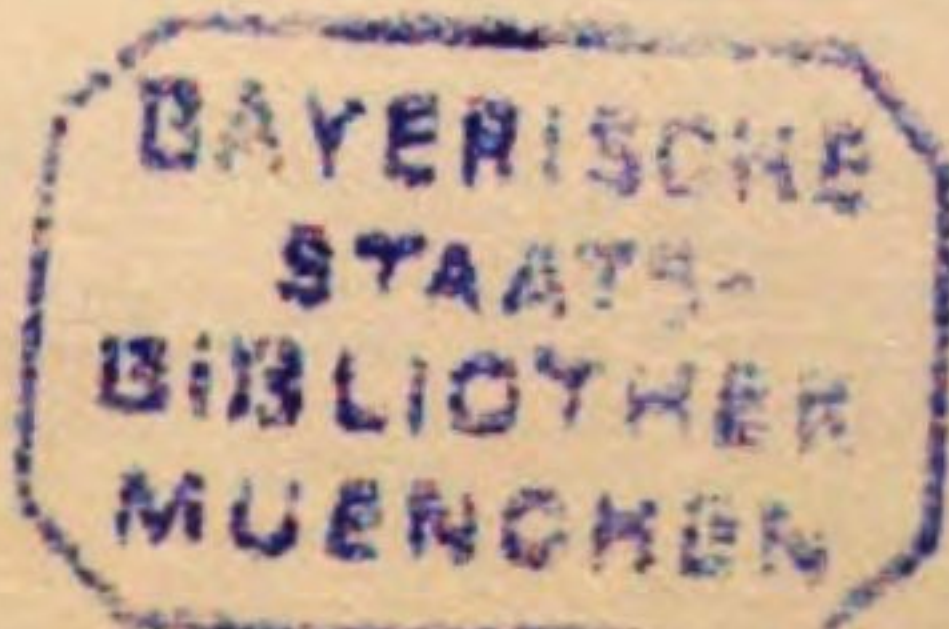
57. I. *Reference to Sir William Becher and Sir Dudley Carlton, Clerks of the Council, to call before them some on behalf of the Company of Vintners and some of the Medium Merchants, together with the vintners who are in custody under the Council's warrant, and to settle the differences betwixt them, or otherwise to report how they find the case. [1 p.]*

Nov. 15.

58. Inigo Jones, George Long, and others, Justices of Peace for Middlesex, to the Council. According to your directions we called unto us the lime-burners and some of the principal bricklayers and plasterers in and about London, and upon conference with them we find the price of lime to be much enhanced within these few years, but no sufficient reason yielded us for such improvement, so as we find that the lime-burners may sell their lime and deliver the same at any place upon the river side within London and Westminster, or the liberties or the suburbs of either of them, or Southwark, after the rate of 6s. a hundred of good lime, every hundred containing 25 bushels. And if the lime-man will carry the lime to any place distant from the water side, he shall charge 6d. a mile for every hundred. For every load of sand containing 18 bushels to be had at the pit where the same is digged 8d., or if delivered a mile distant from the pit the carrier to have 6d. and no more; but if further off or a double load then after that rate, and if at a lesser distance after the same rate. Lastly, for the wages of workmen, artificers, and labourers, the same are carefully and duly published at the sessions of the peace for Middlesex, and remain at the Sessions House of that county for a rule of direction, according to the statute in that case provided, and wants no other thing but a general execution thereof according to the law, which, if your Lordships think fit, may be quickened by his Majesty's proclamation. We also conceive that to be the fittest remedy for regulating the prices of lime and sand, if it shall seem fit to your Lordships. [$\frac{3}{4}$ p.]

Nov. 15.
Queen Street.

59. Thomas Smith to [Sir John Pennington]. Yours of the 11th inst. is come to my hands, and I observe therein that still we do not well understand one another about those directions, though truly both in my Lord's and mine own to you I have endeavoured to give you all the satisfaction I possibly can. The business in question is, whether you have had particular answer, "Yea or no," to your query, whether you should seize to my Lord's use the ordnance in those vessels coming from Sandwich, as also others in those ships which lay dry ashore, or whether you should let them alone. To this latter my Lord held it altogether needless to return you any particular answer, because you had had so many former directions not to meddle with anything that was in my Lord Warden's jurisdictions, that he might show himself as unwilling to offer as to receive any injury. To the other, if you look at the beginning of my Lord



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Admiral's letter of the 31st Oct. you will find these words, viz.: "For stay of those ordnance coming out from Sandwich and going to Dunkirk, I thought fit to let you know that, seeing most of them have been taken out of ships lying ashore, and that the King hath already granted them convoy, I would not have you now intercept them in their passage." This being plain, what needed the manifold repetitions which have been made for particular and plain directions? and which have caused anger and trouble. Therefore, speak no more of it, but do you forget it while I endeavour to excuse it here. Concerning the convoy money, I can[not] give you an exact account, but I have written both to C[apt.] Percival and his man for it, and you shall have it when it comes next week. I have not yet received what they have already sent up, so that the dividend will be late, I believe not till the middle of December. I thank you for the man released, and for my brother, who I fear is too great a trouble to you, but if he will follow the advice I have given him he shall be as little offensive as may be. Lord Conway is made Lord Marshal of Ireland, and is to go and settle himself there for good and all shortly, which I am not sorry for one jot. The Lord Deputy is great at Court, and makes the King large proffers of assistance from Ireland against Scotland. That business is consulted upon very diligently and often, and it is thought you must [go] again to the Frith; but not a word of this; I will tell you more shortly. Two commissioners of theirs [the Scots] came hither last week, viz., the Earls of Lodaing [Loudoun] and Domfarlin [Dunfermline], and upon their arrival sent to have admission to kiss the King's hands. His Majesty returned them answer that if they came on their own business they should be admitted to his presence, but if from the public he would first see their commission in writing, and if they had none they should return from whence they came to fetch one. They sent him word that they came from the Council of Scotland to deliver a message to his Majesty in public, before the whole body of the Lords, which was denied them, and so in the beginning of this week they went away much disgusted. The warrants for new writs for ship-money are given out, and so much as it was the second year, whereat many murmur. I fear all will be naught, my dear friend, I could say much, but I must not commit it to paper. If there be any considerable sum of the convoy in Capt. Percival's hands I think you shall do well to detain it there, if you have occasion to use any there, and so save the labour of sending it up, and then we may proceed to the dividend the next week. Therefore, if you be so resolved, pray cause him to send me the whole sum of what is due to the last of October, and then your winter convoy is to begin. I am called off, and therefore must conclude. [4 pp.]

Nov. 15. 60. Algernon Earl of Northumberland to the same. Prince Maurice, third son to her Majesty the Queen of Bohemia, being upon his return to Holland out of France, has desired a vessel of his Majesty's for his transportation; wherefore, upon receipt hereof, you are forthwith to cause the Expedition, if you think her fit, or

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else some other vessel of the fleet most convenient for that service, to stand presently over for Dieppe, requiring the captain thereof, upon his arrival there, to go on shore, and to acquaint the Prince with the cause of his coming, and when his Highness shall think fit to come on board to receive him and such as he shall bring along with him, giving them the best accommodation he can, and to transport them to such port in Holland as the Prince shall desire, when, having seen them safely landed, to return without delay to you in the Downs. Yours of the 12th and 14th are come to my hands, and whereas in the first of them you still complain for want of a particular direction for seizing those pieces of ordnance which are now out of my power, if you peruse mine of the last of October, in the beginning thereof you will find as much as needs to be said in this business. As for your desire to know whether those cables and anchors you have lately taken up in the Downs may be disposed of there or not, I shall give you my resolution therein very shortly. I thank you for the care, which I perceive in your other letter, you have had of my business in taking up those ordnance on board that ship, and I desire your further diligence therein. As for your resaluting of the Hollanders, I have yet no order, and therefore you shall do well to forbear till his Majesty's pleasure be declared to the contrary; but an extraordinary ambassador being now come from them to give his Majesty satisfaction for the insolency lately committed by their fleet in the Downs, I doubt not but that I shall shortly send you order to return them the accustomed civilities. [2 pp.]

Nov. 15. 61. Statement by Richard Hollings respecting the Recusants' revenue for the south, received by him between the 1st May 1639 and this day. Totals, 4,150*l.* 6*s.* 0½*d.*; paid over, 1,714*l.* 12*s.* 0½*d.*; leaving 2,435*l.* 13*s.* 11¾*d.* in hand. [¾ p.]

Nov. 16. 62. Petition of Ann Adey, on behalf of her brother Lionel Locker, prisoner in the White Lion, Southwark, to Archbishop Laud. Petitioner's brother, living in the town of Cranbrook [Kent], and being acquainted with Dr. Abbott, minister of that place, had some conference with the doctor concerning a sermon he made, and as it seems he asked him some question or said something that was displeasing to the doctor, who caused a pursuivant to take petitioner's brother one Sunday and carry him to the above-named prison, where he has remained a quarter of a year, not even giving him time to dispose of his goods, house, or servant, so that he is destitute of means and ready to famish in prison. Prays order for his release, neither the doctor nor any other prosecuting against him. *Underwritten,*

62. I. *Reference to Sir John Lambe to examine the truth of these suggestions, and give Archbishop Laud an account, that such further order may be taken as is just and fitting.*
Nov. 16th, 1639. [1 p.]

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Nov. 16.
Exeter Palace.

63. Bishop Hall of Exeter to Archbp. Laud. I should be very unthankful if I did not acknowledge every one of those lines of so long a letter, written with your own hand [see 11th inst., No. 38], a new obligation to me, who know the price of your time; yet the matter of them binds me more. Those animadversions were so just that I had amended divers of those passages voluntarily ere I received this gracious admonition, for I only sent you the rude draft of what I meant to polish in the expression. You observe truly some mitigations in stating the cause, which I confess to have purposely used, out of a desire to hold as good terms with our neighbour churches abroad as I safely might. You know well how tenderly Dr. Field and B[ishop] Downam have handled that point; if we may make the case sure for us, with the least aspersion cast upon them who honour our government and cannot obtain it, I conceived it better, especially since the Scottish case so palpably differs, yet I would so determine it as that nothing but necessity can either excuse them or hold up the truth of their being. In the presbytery I must fall foul of them, howsoever. That clause of abdication was inserted with respect to the present occasion; I shall willingly abdicate it. Those many scruples, which may arise and must be met with in this cause, will be avoided, if we do plainly and shortly state the question, thus: whether the majority of bishops above presbyters be by divine institution? which, if we make good, is as much as can be reasonably desired; for what Christian can think it safe or lawful to depart from that which Christ and his apostles have set in his Church, with an intent of perpetual continuance? I have noted in my discourse those two sorts of adversaries, and with respect to them put in those two words, "lawful" against the first, and "divine" against the second, though the latter in the tractation comprises both. We shall not much need, I hope, in this way to come within the ken of that Roman rock of *jus divinum mediatum*, although it must fall into our mention. Shortly, I shall take careful heed to those points which your Grace adviseth, and when I have laid my last hand upon the first part, whereof each clause must *bis ad limam semel ad linguam*, I shall transcribe it and send it to you for your full and free censure. [Endorsed by Laud: "Received Nov. 18, 1639. The Bishop of Exeter's answer to those animadversions I made upon the heads of his intended book for episcopacy." 1½ p.]

Nov. 16.

64. Lord Treasurer Juxon and Francis Lord Cottington to the Receiver-General of his Majesty's Revenues in co. York. These are to require you, by virtue of the Privy Seal dated Jan. 17, 1633-4, to pay to Major Norton, for the payment of the dissolved garrison and pensioners at Berwick, for the half-year ended at Midsummer last, 210*l.*, taking his acquittance for the same, and you shall have reimbursement thereof upon your next account to be yielded to his Majesty for your office of receivership. This being for a company of poor aged men, you may not fail to make speedy payment thereof. [Copy, with an underwritten note of a like warrant of 195*l.* for Midsummer last. 16th Nov. 1639. 1¾ p.]

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Nov. 16.

65. Attorney-General Bankes to the Clerk of the Council attending. I desire to have copies of the Council's letters to the Lord Lieutenant or Deputy-Lieutenants of co. Lincoln, touching the providing or mustering of men for the late Northern Expedition, and of such letters as were sent to them for the examination of the abuses of divers officers who took money to discharge soldiers who should have been employed in the said service. [$\frac{3}{4}$ p.]

Nov. 16.

66. Account of Sir William Russell and Henry Vane of ship-money received by virtue of the writs for 1638; total, 46,818*l.* 6*s.* 1*d.*; leaving 22,931*l.* 13*s.* 11*d.* yet unpaid. Mem.—Since the 28th Oct. last 158*l.* 6*s.* 6*d.* [of the 1637 arrears] had been paid. [1 p.]

Nov. 16.

67. Account of ship-money for 1638 levied and in the hands of the sheriffs, viz., 2,587*l.*, making the total levied and paid 49,405*l.* This week 80*l.* of the 1637 arrears were paid, but no part of the 1635 or 1636 arrears. The arrears were, for 1635 = 4,536*l.*; 1636 = 7,181*l.*; 1637 = 19,731*l.*; 1638 = 22,931*l.* [1 p.]

Nov. 16.

68. Particulars by Capt. William Legge of brass ordnance, corslets, arms, and munition remaining in store at the Tower of London. Against "Corslets wanting head-pieces," Sec. Windebank has written "These shall be completed by Candlemas." [1 p.]

Nov. 16.

Order of the Commissioners for Gunpowder and Saltpetre. Samuel Cordewell, his Majesty's gunpowder maker, having this day acquainted the Lords that Mr. Vincent, one of the deputy saltpetremen, desired him to amend a barrel of decayed gunpowder weighing about 1 cwt. beside the cask, it was ordered that Cordewell should be permitted to renew the same, and further that he should do his best to discover in the renewing thereof, and also of any other decayed powder that he should have leave to renew, whether the same were home-made or foreign saltpetre, and make it known to the Lords as he should from time to time discern the same. [*Copy. Vol. ccxcii., p. 106. $\frac{2}{3}$ p.*]

; [Nov. 16 ?]

Minute that Samuel Cordewell this day acquainted the Lords that the East India saltpetre which, by virtue of a letter from the Lord Treasurer and Lord Cottington, he has now received in part, and whereof he is shortly to receive the rest, proved so good in the refining as he will forbare to demand an allowance for refining it till he shall see at what rate he may do it. The Lords were well pleased with Mr. Cordewell's clear and ingenuous dealing therein, and willed that a memorial thereof should be entered in the book of saltpetre business. [*Copy. Ibid, p. 107. $\frac{2}{3}$ p.*]

Nov. 16.

Order of the Commissioners for Gunpowder and Saltpetre on the petition of Edward Thornhill, deputy saltpetreman for Bedford, Hertford, Buckingham, and Northampton. Let Mr. Poole make a deputation for Francis Cordewell to be deputy for making saltpetre in the above-named counties in place of petitioner, and upon the same conditions and security to bring in the like proportion of

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saltpetre weekly as petitioner was obliged to deliver into his Majesty's store. Petitioner not to be discharged from his obligation until Cordewell shall have given security to perform this service, and Thornhill shall have brought in all such saltpetre as he is in arrear for the last year's proportion. [Copy. *Ibid.*, p. 108. $\frac{4}{5}$ p.]

Nov. 16.

Order of the Commissioners of Gunpowder and Saltpetre upon the petition of Richard Collins. We desire Samuel Cordewell and Richard Poole to examine the accounts and agreements between petitioner and Oswald Pinkney, and to make a final accord and agreement between them, if they can, or otherwise to certify us what they find to be the truth of their differences, and through whose fault it is that they cannot end the same. [Copy. *Ibid.*, p. 108. $\frac{2}{5}$ p.]

[Nov. 16.]

Minute that all the saltpetremen, except Mr. Emerson, who are certified by Mr. Poole to have failed in bringing in their full proportion of saltpetre, are to be warned to attend the Commissioners for Saltpetre and Gunpowder on the 30th inst. [Copy. *Ibid.*, p. 108. $\frac{1}{4}$ p.]

Nov. 16.

Whitehall.

Order of the Commissioners for Saltpetre and Gunpowder. That Mr. Fletcher shall have for all the Barbary saltpetre which he has in his hands after the rate of 45s. per cwt., and that Samuel Cordewell, his Majesty's gunpowder maker, shall refine the same, and shall have for so much as it shall produce after the rate of 4l. 6s. 8d., being the same rate that was formerly allowed to Cordewell for Barbary saltpetre, whereof the officers of the Ordnance are to take notice, and accordingly to take order to see the said saltpetre weighed, when it shall be delivered by Fletcher to his Majesty's gunpowder maker, and to keep a true account and register thereof, according to the Lords' order of the 9th February last. [Copy. *Ibid.*, p. 119. $\frac{1}{2}$ p.]

Nov. 17.

St. Cross.

69. Dr. W[illiam] Lewis to Archbishop Laud. Your letters [to the Dean and Chapter of Winchester, of the 13th inst., see p. 93, No. 47], signifying his Majesty's pleasure concerning the happy decision of our copyhold controversy, were yesterday read in the Chapter House, Mr. Dean having opened them before, in expectation of great satisfaction to his long conceived hopes. The clause of favour intended to the present Dean, for reasons known to his Majesty, whereof we are well content to be ignorant, has sweetened all the rest, and was received with frequent uncoverings of the head and great submission. Glad he seemed to be, that though you disliked the custom, you were willing *sepelire cum honore*, to bury it with honour, though I am subject to believe he had rather have seen all the ceremonies of the new law buried instead of it. The chapter ended, he retired himself to his farm to take the air to digest this honour and the statute (which he thought, if he did not say it, would never have come), against three lives. There is only one circumstance, about the time when this order should commence, that troubles us, concerning which Mr. Dean and the chapter

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purpose this week to petition you for your interpretation of it, because the time limited and appointed in your letter, that it should begin at this audit, seems not to suit with your former commands and the present occasion. I am afraid I did not clearly enough express myself in the information, and therefore desire leave and pardon once more to represent the case to you as it now stands. The elective copyholds were by the chapter restrained this time two years, and upon Mr. Dean's complaint and our remonstrance were by you accordingly suspended ever since. We conceive then that his Majesty's pleasure and your meaning is that this order and these rewards should begin where the other injurious custom stopped, and so the question about the suspended copyholds would be resolved by this distribution out of them to those that then bare office and were unrewarded for it, and these rewards would end at this audit, having gone round all the prebendaries but one that have been in office, just when our new statutes begin to take place. Otherwise, if the distribution should begin but now (besides that it is supposed it would imply some contrariety to the statute we must be sworn to, that appoints all fines for dividend), the officers of the three years last past, which were all the chapter of that time except one, would be passed over without any reward at all, and the fines of the copyholds then void, and one way or other due to them, whereof some are gone, as Dr. Goad and Dr. Lany, would be employed in rewarding others that had neither part in the service nor right to the fines; or else, which is the main inconvenience, Mr. Dean, as he interprets your Grace, would take the copyholds in specie, the three audits past that were suspended and then these rewards for three years to come, and so would hedge in six years' benefit towards the funerals of this pernicious custom, whereas we conceive his Majesty's order and your purpose intends him but three years' advantage by it; and of those six, the three first years past, not mentioned in the order, would be of far greater benefit and advantage to him than ever he or any of his predecessors had yet, there being, as I have informed you, a copyhold actually void that fell in one of those years, 1637, worth 300*l.*, which he lays claim to for one of two yearly choices, though they never had but reversions and not estates actually void, and the church intends to turn it into a leasehold for 21 years. But you conceived, perhaps, that the dean and the officers had enjoyed their choices till now; but we restrained them first ourselves, and after by your order, in expectation of this resolution. If you will be pleased then to interpret and express it thus, that the order shall begin at the audit in the year 1637, when the elective copyholds were by you first suspended, it will end at this audit, though it begin the execution of it now. It will take away all doubt, controversy, and complaint. The order will begin where the rewards first stayed, at the seniors, whereof I was one, with the best rewards of 40*l.*, which year the copyholds were best by much, and end with the juniors this year, with the least of 10*l.*, and all contestation about the estate void of 300*l.* will be silenced, which will alone serve almost to defray all the

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rewards allotted, that otherwise Mr. Dean would swallow, but for one of six choices for the three years passed and undetermined, and yet expect the compensations of this order for the time to come. Apologizes for the length of this letter, and ends thus: But since your charity will descend so low as to the meanest necessity of every church, even this will help to make up a wreath for your crown in the next world, how little thanks soever you have for all your pieties in this. [*Endorsed by Laud*: "Dr. Lewis. Concerning an interpretation of my letters about the time for their rewards for copyholds, &c. Received November 21, 1639." 3 pp.]

Nov. 18. Grant of a protection to John Milward and Thomas Milward, his son, for one year. [*Docquet.*]

Nov. 18. Warrant to pay 400*l.* to Sir Jacob Astley, governor of the fort at Plymouth, to be by him disbursed in repairing the said fort and mounting the ordnance. [*Docquet.*]

Nov. 18. 70. The King's writ to the Sheriff of Middlesex and others, for providing a ship of 400 tons, with 160 men, properly equipped for war, and furnished with provisions for 26 weeks, to be ready at Portsmouth on the 1st April next. [*Latin.* 2½ pp.]

Nov. 18. 71. The like to the Mayor and others of Bristol, for providing a ship of 64 tons, with 26 men, to be equipped and furnished, and to be ready at Portsmouth on the 1st April next. [*Latin.* ¾ p.]

Nov. 18. 72. Statement of the number of ships assigned to the several shires of England and Wales, together with their tonnage, number of men, and charge, and the sums set on the corporate towns in each county for ship-money. [10 pp.]

Nov. 18. 73. List of such counties wherein are more than two corporations, together with the names of the corporations, and what ship-money is assessed upon those counties and corporations. The counties named being Berks, Cornwall, Devon, and Dorset. [2 pp.]

Nov. 18. 74. Similar list of such counties as have in them but one corporation. The counties named are Bedford, Cambridge, Cumberland, Westmoreland, Cheshire, Durham, Leicester, and Middlesex. [1 p.]

[Nov. 18.] 75. The King to the Mercers' Company. We have lately received information concerning one [John] Jemmett, clerk, who was some while since placed by your company in Berwick in the quality of a lecturer, that he has not behaved himself so orderly and peaceably there as he ought and as these times in that place do more especially require. We hope that this his factious disposition was altogether unknown to you when you sent him thither; howsoever we think it very fit that he be no longer continued lecturer in that town, and therefore we hereby require you that Jemmett receive no further salary from you for preaching, and we have required the Bishop of Durham to take care accordingly that he preach no more there; but if in his room you shall name and appoint George Sydeserff, born in Scotland, who is recommended to us for an orderly clergyman, and one every way well affected both to our

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service and the discipline of the Church of England, and who has suffered for us in the troubles in Scotland, we shall take it well from you, and we expect that you deny us not this our just and reasonable request. [*Draft in the handwriting of William Dell, amended by Sec. Windebank. ¾ p.*]

Nov. 18.

76. Sec. Windebank to Bishop Morton of Durham. His Majesty, understanding that there is one John Jemmett, a lecturer, in Berwick, who preaches seditiously there, which is of very ill consequence to his Majesty's service, has commanded me to signify to you that you forthwith cause him to be silenced and to depart from thence, and in case you can find sufficient matter to call him into further question that you cause articles to be exhibited against him in your Court of High Commission, and there proceed legally against him. Of this you are to give his Majesty speedy account, whereupon you shall receive further direction herein. [*Draft. ¾ p.*]

Nov. 18.
Whitehall.

77. The King to Sir John Heydon, Lieutenant of the Ordnance. Upon sundry occasions for our service we have taken notice of the great want in this kingdom of artificers skilful in the making of firelocks for pistols and carbines and other the like services, and being well satisfied of the ability and skill of Henry Lemaire, by himself and servants, to undergo such employments of that nature as from time to time we shall have cause to use him in, so that a convenient house were allotted to him for the exercise of his and his servants' trades. Forasmuch as we are informed that there is a house at present void near you, lately in the possession of Mr. Arnold, we require you to cause the possession of the said house, with all materials whatsoever belonging to us to be delivered to Lemaire, for which this shall be your warrant. [*Signed. 1 p.*]

Nov. 18.
Devon.

78. Sir John Pole, Sheriff of Devon, to the Council. I received not your letter of the 20th October until the 16th inst. For answer thereto, there was imposed upon the whole county of Devon 3,150*l.* [ship-money], whereof 481*l.* was assessed upon the 12 corporations; and according to directions from the Board I met with the mayors of the said corporations and assisted them in making their general assessments. The particular assessments by his Majesty's writs directed to them, and likewise the gathering and levies by distress, were to be performed by the said mayors, so that I hope I shall not at all be charged therewith. Concerning the residue of the 3,150*l.*, which amounts to 2,669*l.*, I have used my best endeavour in collecting and levying the same, and have paid to the Treasurer of the Navy 2,546*l.* 9*s.* 6*d.* I have also returned 79*l.* 0*s.* 8*d.* more, which I hope before this time is likewise paid in. These sums amount to 2,625*l.* 10*s.* 2*d.*, so upon my charge there remains only 43*l.* 9*s.* 10*d.* unpaid. All which I have particularly set down, for that by your letters I am given to understand that there is an arrear of 763*l.* behind upon my charge. For that divers of the constables have of late come to me and have denied to levy distresses upon some who refuse payment, pretending that they have been threatened to have actions brought against them for doing thereof, they have been so much

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frightened as I am forced to issue warrants to my own servants and ministers to levy the same, so as my attendance at the Board at present will rather retard than further the service. There are divers who, shortly after the rate made and before I could gather the same, died and left their estates scattered among their children, and some also who sold their estates and departed out of the country, so as I cannot levy it. I desire your direction what I shall do herein, for which purpose I have appointed my under-sheriff to attend your commands. [*Seal with arms. 1 p.*]

Nov. 18. 79. Petition of Honor, wife of George Cotton, to Archbishop Laud. Complains of the ill-treatment of her husband, who upon her marriage promised to settle on her for jointure 30*l.* a year land; but now, having wasted and consumed his property all but 20*l.* per annum, paid him by Nicholas Pledall, has left her and her children ready to perish. Prays order for her relief. *Underwritten,*

79. i. *Reference to Sir John Lambe to consider of the above, and to give the petitioner the best directions he can for her just relief, in case he finds the suggestions true.*
Nov. 18th, 1639. [1 p.]

Nov. 18. 80. Dr. Chr[istopher] Potter to the same. The former seats of Queen's College. our citizens at Worcester in the west end of our cathedral, all fixed, took up fully two spaces of the church, built by an ancient bishop, whose tomb-stone, his only monument, was wholly covered and obscured under them. They rose by degrees as high as the bottom of the west window; there the senators and their wives sat in pomp and more state than in their guildhall. They were erected but of late, in Dean Hall's time, as I have heard, who was the engineer to contrive them in that form. On Sunday mornings, before sermon, during the choral service, some walked and talked in the nave, others gathered their auditors about them in the seats and read to them some English divinity so loudly as that the singers in the choir were much disturbed by them; all despising that service. The vicar-general being there, and observing, as it was easy, that those seats dishonoured that goodly fabric, wrote his letter to the dean, my predecessor, and the chapter, directing them to take them down. The citizens hereupon fly to their oracle and asylum, the old bishop (of late feeble, now lusty), who has, indeed, debauched that people, otherwise tractable to reason, by his popular fawning and flattering them in all their fancies. Upon his letters to you you were pleased to reprieve the seats awhile, but upon the late hearing of our differences before you you renewed the commandment to us, and accordingly we took them down. At that time the sermon place assigned by you was at the west end of our choir, which all reasonable men must confess to be fitter than the west end of the church, which they petition for with so much passion in all regards. 1. It is more spacious and capable, opening into a large cross aisle. 2. It is more commodious for the eminent sitting of their magistrates upon the ascending steps. 3. It is warmer;

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no door at all there opening out of the cathedral save one small one into our cloister, behind a great pillar, and the large cold north door opening a little above their old desired place. The complying of our weak silly bishop and these silly weak ones of my company, I except Dr. Smith, who will give you a good account of his subscription, has put them into such a fury and malice against me, Mr. Broughton, and Mr. Tomkins as is hardly to be imagined. They take this for a persecution of the gospel, and us to be the authors of it, and you, so far as they dare. I have often told them it is his Majesty's gracious and pious direction, conformable to all antiquity, that no seats shall be fixed in cathedrals; and have often put them in mind of his Majesty's late letters to them, commanding them to frequent our choir service on all Sundays, holidays, and their eves. The sermon place is not much material if their seats be moveable and if they frequent our service. The times are crazy, and I hope your wisdom and goodness may, for our peace and quiet in that place, yield a little to their folly. I beseech you, and with me Dr. Smith also, that on the former conditions, which they say will content them, you will gratify them with their own old beloved place till that mistress of fools, their own experience, show them the vanity of their desires and the wisdom of your direction and choice for them. [*Endorsed by Laud*; "Dr. Potter's answer to the petition of the city of Worcester." See 8th inst., p. 79, No. 26. Seal with arms. 2 pp.]

Nov. 18.

Tredington.

81. Dr. William Smyth to the same. Attending lately our church audit I met there a petition drawn by the Mayor of Worcester and his brethren to be preferred unto you, and the bishop joining with them. There were of the prebends who likewise set to their hands and among them, ere now, I suppose you have read (I hope not disliked) mine; the occasion of which concurrence I beseech you to understand, that his Lordship in person visiting our church about Michaelmas was petitioned by the city to move the dean and chapter for their better accommodation of a preaching place, and to be restored to that whence they were removed. Whereunto there being answer made that the alteration was by your order, and no more was left us therein but to obey; my Lord then urged his desire to as many of us as were present to join with him in suit to you that they might be brought back to the west end of the cathedral, their old place; not to use it after the same manner, having fixed seats and with degrees exalted, but that they might be moveable and equal for height, unless the mayor's seat and some few were a little more eminent. This was the proposal, and hereto I was not unwilling to subscribe; but the city petition being not drawn accordingly, I held off my hand awhile and should have done so altogether had I not been swayed by other circumstances, for I crave your leave to acquaint you that the place appointed at the west end of the choir is extremely complained of, for some things more I presume than there is cause; but the common cry has been against it. And then the preaching being removed to

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the choir to give some better content, that upon trial is found likewise inconvenient, and has little less dislike. Indeed, the choir can be no fit place to be continued; that and the aisles, they say, not receiving half their great auditory; for a greater I have not seen but that at St. Paul's. Besides this last summer I observed some faintings and the manifest danger of their being crowded so together. Whereof I held it my duty to make this representation to you, to show the reasons of my appearing in the petition and the truth of what I know, with some trembling hope that for the great and general content of that place and for reconciling the church and city, near neighbours, but now too distant in their better affections, it may stand with your good pleasure to grant petitioners their desire; which if you shall please to do with your approbation they may have their afternoon lecture again in the cathedral, a thing very much desired, which now is sometime in one sometime in another of their parish churches, but very inconveniently in respect of the multitude of hearers. I suppose Mr. Dean will be opposite in his liking to neither, with condition of conformity in the citizens to frequent our prayers as they are required, wherein I shall be their remembrancer as often as I come there. That I thus presume to take on me the bold part of a too tedious mediator, though my relation sometime to the city may seem to lessen the fault, yet must I with all submission crave your pardon, by whose favours I have been long enlivened. [*Seal with arms.* 1 $\frac{3}{4}$ p.]

Nov. 18.
The Six
Clerks' Office.

82. William Carne to Richard Harvey, at Mr. Porter's house in the Strand. I earnestly entreat you will not have a bad opinion of me that, according to my promise, I did not pay those moneys due to you. I am much ashamed thereof, and assure you I had not failed therein but a gent. that has been in treaty with me these two years for land of 3,000*l.* value, and who agreed upon the price, has been visited this last year with so dangerous a sickness that we could never perfect the business, the omitting whereof has been 500*l.* out of my way, and disabled me to perform with you and others. Details the unsuccessful steps taken by him to save his credit. Prays Harvey to forbear commencing suit against him at this time, and promises he will not fail to make satisfaction during the next six months. [*Endorsed*: "To his honoured friends Sir Charles Rolles, Sir Gervase Scrope, Sir H[enry] Radley, and Sir William Handsard, present these." 1 p.]

Nov. 18.
Stoke Park.

83. Thomas Cooke to the same. You shall receive from Mr. Lee a doe from Lady Crane, out of Stoke Park, which I desire you to present to my master [Endymion Porter] with my lady's service. I further entreat that the bearer may speak with my master, not that he has any business, but to deliver a letter into his own hands. [1 p.]

Nov. 18.

84. Notice to Francis Fecmane, or Feckman, to appear at the Council table the 25th inst. to answer concerning his conducting of Bedfordshire soldiers forth of the north parts. [$\frac{1}{2}$ p.]

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Nov. 18.

85. Receipt of Claude Nouveau for 3*l*. 10*s*. paid by [Edward] Read, by order of Mons. Duproy, for a watch in a gold case enamelled. [$\frac{1}{4}$ p.]

Nov. 18.

86. Rough notes and calculations by Windebank respecting the proportions of muskets, pikes, and other arms for horse as well as foot in an army of 35,000 infantry and 3,000 cavalry. [$1\frac{1}{2}$ p.]
Annexed,

86. I. *Statement, apparently the result of the above. There should be 17,500 muskets towards the number of 35,000 foot, whereas there are but 8,447, and 4,000 from Ireland; so remains to be supplied 5,053. There should be 17,500 pikes, whereas there are but 4,539, and from Ireland 4,000; so remains to be supplied 8,961. [$\frac{1}{3}$ p.]*

Nov. 18.

87. Statement of arms for horse and foot in store at Berwick, Carlisle, Newcastle, and Hull. Arms at Hull returned out of the field, and wanting repair. *Underwritten by Sec. Windebank,*

87. I. *If this money be impressed to Capt. Legg he will undertake the work shall be done by Candlemas. [$2\frac{3}{4}$ pp.]*

Nov. 19.
Edinburgh
Castle.

88. Patrick Lord Ettrick to the King. I have received your letters dated from Whitehall, which I shall obey. I have been all this while busy about the works, which I have conceived to be very necessary; but I fear the season of the year will prevent me to get all perfected according to my desire. But as they are I hope, if you find a means to supply me with such ammunition as I want, I shall not care much for the people here. My Lord Commissioner, to my certain knowledge, and myself also, have in vain used our endeavours; but we find the people more ready to cut our throats than to let us have one barrel of powder or match. My Lord Commissioner has been very careful to pay the soldiers and cannoniers, of whose good performance I am very confident. He has also been careful to furnish me with all things necessary for the works which might possibly be procured, and with as much victual as, if we want not water, I hope the castle, without further supply, may relieve itself until the 1st May, but I have not ammunition for one month of hot service. It shall be my care to make all things go as far as may be; but I desire your Majesty, if it be possible, that I may have supply of three lasts of powder and three fatts of match, with demi-culverin, sacker, minion, falcon, and falconet shot of each sort one ton. If your Majesty should send a ship with English beer to Leith, and enclose some barrels of powder and match in barrels of beer, I believe, if trusty and skilful persons have the ordering thereof, it may take good effect. By my Lord Commissioner's means and mine own here are now about a hundred soldiers with their officers, and the English cannoniers and artificers, who are twenty-one. In case of service there will be need of one hundred soldiers more; therefore my Lord Commissioner has given me order to receive some of his own servants in his absence, if I see

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occasion, but I should be glad to be sure of one hundred in case of service. If I should be so confined here as not to find a way to receive notice from your Majesty within what space to expect aid, if your Majesty send one of your ships into Leith Road I may understand by shooting off pieces of ordnance, one being shot off for each week, within how many weeks I may expect relief, and for every week that I think myself able to subsist I will discharge one piece of ordnance in answer thereto. This must be done on a calm day, or else the pieces will not be heard from thence to the castle; for this notice I shall give good attendance. I beseech you, for God's cause, to hearken to your Commissioner, and not disagree with this headstrong people, unless you come against them with an army befitting your royal person, and by which you may be sure to command them as their King. I desire this for your Majesty's own honour and the good of all your loyal subjects. And for my own particular, I shall be as ready to die in the defence of my charge as to live. I pray God I may not suffer here for want of necessaries, for if they know here how ill the castle is provided I believe they would be too soon ready to attempt it. I humbly leave all this to your consideration, beseeching you to let me receive particular directions by my Lord Commissioner, and your Majesty may rest assured that I will sooner lose my life than let your Majesty receive prejudice for your gracious favour to me, for which, as I am by special duty and service bound, I shall ever show myself your loyal subject and humble servant. [*Endorsed by Sec. Windebank*: "Lord Ettrick, *alias* General Riven, to his Majesty. Delivered to me by his Majesty, 28 Nov., at Whitehall." *Seal (broken) with arms.* 1 p.]

Nov. 19.
Eyton.

89. William Lord Maynard to Sec. Windebank. I have understood, how truly I know not, that you are willing to entertain a servant to wait upon you and to write under your secretary. I shall, therefore, humbly crave leave to recommend unto you a young gentleman and near kinsman of my wife's, Mr. Barnardiston, to attend you in that kind. Details his capabilities and merits, his parents being descended from the best families in Suffolk. If you shall please to enquire further, his antecedents are well known to Mr. Comptroller and Sir William Becher. I would have waited upon you myself to have tendered this suit in person, but my wife is at this time very weak. [$\frac{3}{4}$ p.]

Nov. 19.

90. Certificate of Peter Heywood, Justice of Peace for Westminster, addressed to the Council. That William Yelverton, of Rougham, Norfolk, had voluntarily taken the oath of allegiance before him. [$\frac{1}{3}$ p.]

[Nov. 20.]

91. Petition of Sir Basil Brooke to the King. Some proceedings have been of late in the Court of Wards touching George Keynsham, a lunatic, wherein petitioner, with some others, are in some sort interested. The name of Keynsham is used by some contentious person in suits raised to work vexation, the cause being proper to the Court of Wards. Prays reference to Lord Cottington to call

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before him all parties concerned, and to make an end either arbitrarily or judicially as he shall find to be just according to the merits of the cause. [$\frac{1}{2}$ p.]

[Nov. 20.] Copy of the above petition of Sir Basil Brooke. *Underwritten,*

I. *His Majesty is pleased that all the proceedings which have been in the Court of Wards concerning George Keynsham shall receive a final end in that court before Lord Cottington, who is commanded to call Keynsham and others before him and to end this business either arbitrarily or judicially according to justice; also to supersede any suits which either have been or shall be commenced in any other court at Westminster touching the aforesaid matters. Whitehall, 20th Nov. 1639. [See Book of Petitions, Vol. cccviii., p. 118. $\frac{3}{4}$ p.]*

Nov. 20.

Petition of the Mayor, Aldermen, and Common Council of the City of Bristol to the same. The Kings of England by letters patent have granted power to petitioners to elect one of the burgesses of the said city to be chamberlain thereof during their pleasure. Upon the death of the late chamberlain, Ralph Farmer, amongst others, petitioned for the vacant office, but not being at that time either a burgess or a freeman of the city he was not conceived capable of it by our charter, and we freely elected William Chetwyn, a merchant bred in foreign parts and a sworn burgess, of whom we had good experience for 20 years. Two days after the election Ralph Farmer was at his own request sworn a freeman and burgess, and subsequently procured a letter under the royal signature signifying that some few of us, for their own private ends and to prejudice the common liberty of the rest, have procured a precipitate election of the said Chetwyn, and therefore your royal pleasure was that notwithstanding the election of Chetwyn we should proceed to a new free election, and you were pleased therein to recommend unto us for choice the said Ralph Farmer. In obedience whereunto we have proceeded to a new choice and have elected Farmer; but inasmuch as our former election of Chetwyn was freely made without faction or any private ends, and in no such sort as your Majesty has been informed, we pray that it may stand with your good pleasure to ratify the first election, or otherwise that by your good favour and leave we may proceed to establish one of the said parties elected, whom we shall conceive to be most fit for that place, and swear him in according to our charter. *Underwritten,*

I. *His Majesty taking well the conformity of petitioners to his letters is pleased to leave them free to elect such person for chamberlain as they shall find most fit and to swear him in that place, any former signification to the contrary notwithstanding. Whitehall, 20th Nov. 1639. [Copy. Ibid., p. 118. $1\frac{1}{4}$ p.]*

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Nov. 20.

92. Petition of William Walter to the Council. Upon a petition to the Lords preferred last year by one of the churchwardens of Churchill, co. Oxford, complaining that petitioner with others had been a means to hinder the repairing of that church, the Lords ordered on the 30th May 1638 that he should acknowledge the wrong done to petitioner for such his complaint, and further that the Bishop of Oxford should cause a survey to be made of the great decay of that church, and settle the rate of payment towards it upon every man, enjoining all the parishioners to stand to such order as the Bishop should make for the speedy repairing of the church, as they would answer the refusal before the Lords. In pursuance whereof the Bishop surveyed the church and made an order directing a levy, which he sent in the beginning of last spring to John Whitley and William Bridges, the now churchwardens; in obedience whereunto petitioner caused his tenants, against whom formerly complaint had been made, to tender to the churchwardens their several rates according to the said levy, which they not only refused, but disliking that any order was made returned the same to the Bishop. Forasmuch as the Bishop's order has not been pursued, the decays of the church allowed to increase, and no preparation made during this last season for the repairs thereof, and forasmuch as the church is out of decent state, and not furnished with convenient books, surplice, and other things fit for officiating divine service, as upon much complaint of the minister of the church petitioner has been informed, and for that dissensions amongst the parishioners daily increase, petitioner prays their Lordships' consideration of the premises, and to order therein as they shall see fit. [1 p.] *Dorso,*

92. I. *Reference to Bishop Bancroft of Oxford to see his own orders put into speedy execution, and in case any shall be disobedient thereunto, that then his Lordship would certify the names of the defaulters, when the Lords will take such further order as shall be fit. Inner Star Chamber, 20th Nov. 1639. [½ p.] Annexed,*

92. II. *Bishop Bancroft to the Council. Finds the suggestions of the above petition to be true. He sent to the churchwardens to have his order speedily put into execution, which has been done accordingly, and no one refuses to pay save only those named in the churchwardens' certificate and letter annexed. Yet upon the churchwardens' demand of their rates some four or five came to the writer to alter the order, but not prevailing, William Mullington and William Whitley said it was an unjust order, and that they had great wrong done them if they were caused to obey it, Whitley affirming that though their names only were upon malice certified, yet he knew that none of the town, except Mr. Moorcroft and one or two more, would submit to it, which the letter annexed proves*

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contrary. And this he did in such a manner that, to bridle his obstinacy, I told him he was in my judgment a fit man to be rendered an example for his disobedience to authority, [in] thus peremptorily opposing the Lords' commands. [Undated. 1 p.]

92. II. i. Certificate of John Whitly and William Bridges, churchwardens of Churchill, co. Oxford, above referred to. Thomas and John Sessions refuse to pay and will answer it at the Council table. Peter Minchin, William Sessions, and Thos. Shurly will not pay until the levies that are behind be paid. William Whitly will not pay. [Undated. $\frac{3}{4}$ p.]

92. II. ii. John Whitly and Wm. Bridges to Bishop Bancroft of Oxford. None refuse to pay save those whose names we sent unto you, and of these William Mullington and Thomas Minchin tell the writers they will pay. Dare not undertake for any man for they turn every way. Are very willing to go on with the repairs of the church, if money could be got. William Whitly would have us make a levy contrary to your order, but we will do nothing without your Lordship. Churchill, 7th Feb. [1 p.]

92. III. Order made by Bishop Bancroft of Oxford for the repair of the parish church of Churchill, co. Oxford, according to an order of the Council of the 30th May [1638]. For this purpose the pasture land to be rated at 24l. 8s. 6d., and the arable at 65l. 11s. 6d., amounting in all to 90l., the sum estimated by the surveyors as requisite for the repair of the church. This tax not to be a precedent for other taxations in the said parish. [Signed by the Bishop, but undated. $1\frac{3}{4}$ p.]

Nov. 20.
Berwick.

93. Sir Michael Ernley to Sec. Windebank. I received a letter from you by Capt. Floyd the 14th inst., and he will give you an account of what you gave him order for concerning the works, with an estimate of the charge. I hear from Edinburgh that when order came from the King for the putting off the Parliament till June they would not suffer it to be read. The Lords are all summoned to be at Edinburgh this week; there is much distraction and discontent amongst them. They suppose that the Lord Deputy of Ireland was a great means that the King would not speak with the two Lords Covenanters [viz., the Earls of Loudoun and Dunfermline]. Upon Saturday last General Lesley came to Edinburgh. He tells them they shall command his service as they please, but more care and circumspection is to be taken now than ever, and a good sum of money must be thought upon before they [commence] proceedings. There are great store of officers at Edinburgh, and most of them poor enough; for any other soldiers now in readiness I dare answer for it they have none. What this meeting may produce I know not. For ought I can hear they begin to be sick of the business, and though they brag much, certainly they

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are able to perform little. I desire you to take notice that 25 men were taken out of Sir Humphry Sydenham's company and put into the other companies, which was a great disadvantage to me, both in my profit and my command. I desire you to take it into your consideration. I have acquainted the garrison that their pay shall be shortly established. I desire that there might be more gunners allowed for this place. Here are but 14 and the master, which are too little for the number of pieces we have. [*Endorsed by Windebank*: "Answ[ered] 19 Decem[ber]." 1 p.]

Nov. 20.
Berwick.

94. Capt. Charles Lloyd or Floyd to the same. Your command hastened me, and accordingly I performed my duty as near as time would suffer me, to send you the card of this town with the defects, as also an estimate, as equal as the irregularity of the defacement can give any man leave, for some places are rather too high, others much too low. Some places of the moat not penetrable for rocks, others not to be dealt withall for water this winter; but my endeavour shall not be wanting in anything his Majesty has honoured me with. If he please to like this card and impose that trust in me I will enlarge it to Norham and the Holy Island, or as far as my ability can stretch. [*Margin by Windebank*: "To be left to him."] The note, I hope, will be plain enough, seeing the places are to be found out in the card by the letters specified. My utmost ambition is that his Majesty will continue me in his good opinion, which may haply quicken my genius to study some duty worth his acceptance, although yet far unworthy. [*Seal with arms.* 1 p.]

94. I. *Note [by Capt. Charles Lloyd] of works necessary to be made and repaired according to an accompanying card or plan of the town and castle. Endorsed by Windebank*: "Captain Fludd's certificate of works to be done at Berwick. Received 25 Nov. 1639." [3 pp.]

Nov. 20.
Berwick.

95. Capt. George Payler to the same. I have hitherto addressed my letters to the Lord Treasurer and Sir Henry Vane for their advertisement of what concerns my employment in the garrison here, whereof, by your favourable assistance, I am paymaster. And now understanding by Sir Michael Ernley that an especial care thereof is by his Majesty committed to you, it shall be my duty, with your permission, from time to time to give you an account of my proceedings, and if you will please to take notice of my charge it will appear to be in money upon sundry warrants from his Majesty 14,200*l.*, and in corn and other provision already issued out to the value of 1,532*l.*, the complement amounting to 15,732*l.*, whereof there is now remaining in my custody 1,800*l.*, which will speedily be dispended if the works about the garrison concerning fortifications must be prosecuted with such force as is intended, and also that the arrears due to the captains and officers belonging shall be satisfied upon the view of the new establishment, as with us it is divulged. Wherefore, in consideration hereof, I beseech your furtherance for a reasonable supply of money, lest

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these his Majesty's affairs suffer for want thereof. I dare not assume to intercept Sir Michael Ernley, whose intent is to relate what else concerns this garrison. [1 p.]

Nov. 21.

Petition of Michael Grigg to the King. Prays his Majesty to command counsel to confer with the party who presents this service and to report their opinions. Also that some fit person be authorised to attend the cause and to defray the charge. It were well your Majesty should command the speedy prosecution thereof, the parties being now upon their examination in the Star Chamber, and they will spare no cost to smother and betray the truth. The premises considered will bring many score thousands of pounds into the Exchequer, and the rather because it is a leading cause to many more of the same nature. *Underwritten,*

1. *His Majesty's pleasure is that his counsel shall meet and hear petitioner and such others as he shall present to them. In the event of their finding it a service of consequence, and worthy of his Majesty's countenance, they are to report their opinions to his Majesty, who will give such further order for prosecution thereof as is desired. Whitehall, 21st Nov. 1639. [Copy. See Book of Petitions, Vol. cccviii., p. 117. $\frac{3}{4}$ p.]*

Nov. 22.

Petition of Archbishop Neile of York to the same. King James, by Act of Parliament in the 21st year of his reign, made an exchange with Tobias Matthew, then Archbishop of York, for York House, in the Strand, and divers other houses and tenements thereunto belonging of the manor of Sancton, and divers other manors and lands in co. York. John Hare has of late made an entry on part of the manor of Sancton, and thereof made a lease to James Wallis, who has commenced a suit at common law against petitioner upon pretence of a former grant thereof made by Queen Elizabeth, to the great loss and prejudice of petitioner and the see of York if he shall be evicted. Petitioner hopes that your Majesty will defend and protect him and his successors in their right and possession of all such lands as were passed to the see of York in exchange, he having no other evidence or assurances to justify the said title at common law save only the Act of Parliament aforesaid. Prays your Majesty to command John Hare to stay his suit at common law and to refer the determining thereof to some of the Lords of the Council, with the aid of the Attorney-General. *Underwritten,*

1. *Reference to Archbishop Laud of Canterbury, the Lord Keeper, Lord Treasurer, and Lord Privy Seal who are to determine the same if they can, otherwise to certify his Majesty where the impediment lies, with their opinions of the whole matter, whereupon he will signify his further pleasure, and in the meantime the suit in law is to be stayed. Whitehall, 22 Nov. 1639. [Copy. See Book of Petitions, Vol. cccviii., p. 115. 1 p.]*

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Nov. 22.
Inner
Star Chamber.

96. Order of Council. Upon petition of George Jay, clerk, referred by his Majesty to the Lords, showing that John Jackson, an attorney, persuaded petitioner to join in bail with him for one Robert Weldon, clerk, who was sued for 100*l.* principal debt, which petitioner did, upon Jackson's assurance that it could not be prejudicial to him, and that he would carefully attend the business. But Jackson, contrarily, by combination between himself, Read, the plaintiff, and others, purposely concealed the taking out of the judgment against Weldon, and an execution against petitioner, and suffered a judgment of 400*l.* to be laid on petitioner, for which he was carried to prison violently, and had to pay the same. As also, upon reading a paper subscribed by Jackson in the presence of two witnesses wherein it is acknowledged that the said bail was accordingly entered into the 6th Feb. 1636-7, by which writing Jackson promised to pay petitioner one half of all such damages and costs of suit as Jay should be put to by reason of the bail so entered into, so as the said Jay would endeavour to relieve him upon such security as they or some of them had from Weldon, when they should be satisfied of such engagements as the same security was given for. Ordered that Jackson should remain in the messenger's custody until he had paid George Jay the moiety of the money really paid by petitioner upon his imprisonment by virtue of the said judgment, together with his charges, or else to be committed to the Fleet. [2 pp.] *Written on the fly-leaf,*

96. I. *Memorandum of Sir William Becher, taxing Jay's costs in the above business at 35*l.*, although it has cost him, by the bill presented, above 50*l.** [$\frac{1}{4}$ p.]

Nov. 22. 97. Separate affidavits of Thomas Mason, of Much Ashley, co. Leicester, and Hugh Aston, of Lutterworth, in the same county, respecting the business calendared in the preceding. [= 1 $\frac{1}{2}$ p.]

[Nov.] 22. 98. Order in Council. Upon complaint made by the Lord [High
The Court. Admiral] that some of his packets sent have been refused by certain postmasters, and others carried negligently and slowly, to the prejudice of the service under his Lordship's charge. It was ordered that the packets signed by his Lordship or any other privy counsellor, being an officer of State, should run and their warrants be obeyed as formerly, and if any postmaster shall henceforth neglect his duty in carrying any of the Lords' packets they shall be punished for such fault; and further that the Secretaries of State, in whom is now the power and ordering of the postmasters, are hereby required to take notice hereof, and forthwith to give effectual order accordingly. [*Damaged.* 1 $\frac{1}{4}$ p.]

Nov. 22. 99. Affidavit of Matthew Kirkley, of Newcastle-upon-Tyne, merchant. That Elizabeth Kirkley, widow, now inhabiting that town, is very aged, and unable to travel to London without great danger of her life. [$\frac{1}{2}$ p.]

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Nov. 23.

1. Petition of George Heely, gentleman, to Francis Lord Cottington, Master of the Court of Wards and Liveries. About two years since John Draycott died seized of a messuage and divers lands and tenements in Preston, Montford, and elsewhere in co. Salop, part thereof held of his Majesty by knight-service *in capite*, his heir being then of the full age of 21 and upwards. Howbeit an office has been found in the said county after the death of Draycott against his Majesty's title, by reason whereof, and that no livery is continued after his death, as in such cases is usual, the said livery is concealed, and the mean rates accrued ever since his death, to be disposed of as it shall please his Lordship. Petitioner prays that the mean rates of the said lands may be conferred upon him, until livery thereof shall be sued out of his Majesty's hands, and to grant him a writ *de melius inquirendo* into Salop, to enquire better of the said tenure, and he himself will find an office to entitle his Majesty, and discover the concealed tenure. [$\frac{3}{4}$ p.] *Endorsed*,

1. I. *Order of Lord Cottington for petitioner to attend Mr. Surveyor, who is desired to certify whether there has been any tender and continuance of the livery of the heir of John Draycott, deceased. 25 Nov. 1639. [4 lines.]*

1. II. *Certificate of Sir Benjamin Rudyard, that he finds Philip Draycott, son of John Draycott, of co. Stafford (sic.), deceased, tendered his livery the last day of Feb. 1636–7 and continued the same to Trinity term last. 26th Nov. 1639. And stands discontinued. [7 lines.]*

1. III. *Reference of Lord Cottington for petitioner to have a writ or commission in nature of a melius inquirendo to find the office, and afterwards to let Mr. Auditor cast up the rates and draw up a particular, whereupon to pass a lease till livery be sued, and to attend his Lordship with the rates so cast up in Hilary term next. 29 Nov. 1639. [4 lines.]*

Nov. 23.

Commissioners of Gunpowder and Saltpetre to the Officers of Ordnance. We understand by your letter of the 18th Sept. last that 7 cwt. 1 qr. 19 lbs. of unrefined saltpetre belonging to Robert Davis, being once refined, has by reason of the badness thereof produced only 4 cwt. 13 lbs., and that the same is still in your custody. We request you to send the same to his Majesty's storehouse by Broken Wharf, and that there some of you, in presence of Samuel Cordwell, Richard Poole, and Alexander Harris, inspect the same, and see whether it be refined to that height which it ought. And if it be, then you are to cause the same to be registered and delivered into the charge of Cordwell, his Majesty's gunpowder maker, who is to pay Davis at the rate of 3*l.* 3*s.* 4*d.* the cwt. for the same, agreeably to the valuation. [*Copy. Vol. ccxcii., p. 109. $\frac{2}{3}$ p.*]

Nov. 23.

The same to Sir Guy Palmer and William Robinson. We have herein sent you the petition of Oswald Pinkney, deputy saltpetre-man

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for cos. Lincoln, Rutland, &c., complaining of several persons therein named, through whose defaults as he alleges his Majesty's service under his charge has much suffered, and he has been disabled to bring into his Majesty's store the due proportion of saltpetre. Forasmuch as we have received no testimony of the truth of Pinkney's petition, and are not willing to give credit to the bare complaint of an interested party, we pray you to send for petitioner and the persons complained of, and to certify us what you find to be the truth of the allegations in the said petition, whereupon we will take such further order as shall be requisite. [*Ibid.*, p. 109. 1 p.]

Nov. 23.

Minute of a warrant to Robert Smith, messenger, to bring before the Commissioners for Saltpetre and Gunpowder Mr. Young of Chertsey, Surrey, who had his powder mills broken up. [*Vol. ccxcii.*, p. 110. ¼ p.]

Nov. 23.

2. Affidavit of Thomas Mascoll, of Gillingham. That in the time of the sheriffalty of Sir John Croke for co. Dorset, he being one of his bailiffs, and having warrant to distrain for ship-money, came to the house of Mr. Hobbie, parson of Winterborne, who resisted him and those that were with him, and said he would loose his life rather than suffer his goods to be taken from him, whereby divers other of his neighbours by his example refused to give satisfaction of the sums imposed on them. That Mr. Fox, parson of Anderson, with his wife and two of Mr. Tregonwell's grooms, resisted him in distraining Fox's goods, and struck deponent with a staff tipped with iron. William Marshall of Bridport, after deponent had destrained some plate, took away deponent's horse, and said he would keep it until he restored his plate. That at divers places over the greater part of the county, upon notice that the sheriff or his bailiffs were come to levy ship-money the doors were shut and the goods conveyed away, so that they were constrained to go three or four times for the taking of one distress. That an infectious fever was spread over the greater part of the county, whereof divers constables and many hundreds of people died, whereby the ship-money could not be levied, and that many of those who are yet in arrear pretend that they are not able to give satisfaction, and that no goods can be found or come by. [1 p.]

Nov. 23.

3. Account by Sir William Russell and Henry Vane of ship-money for 1637. Total received, 176,634*l.* 15*s.* 8*d.*; in arrear, 19,779*l.* 12*s.* 0*d.* Underwritten,

3. 1. *Memorandum that 132*l.* of the 1636 arrears has been received since 1st June last.* [1 p.]

Nov. 23.

4. Similar account of ship-money for 1638. Total received, 50,066*l.* 6*s.* 1*d.*; in arrear, 19,683*l.* 13*s.* 11*d.* Mem.—The late sheriff of Salop has delivered bills of exchange payable in December and January next for 355*l.* 3*s.* 9*d.*, and the late sheriff of co. Derby alleges he has 300*l.* ready to be paid. [1 p.]

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Nov. 23. 5. Account of ship-money for 1638 levied and in the hands of the sheriffs; total 2,392*l.*, making, with the 50,066*l.* paid as in the preceding, 52,458*l.* This week 132*l.* paid of the arrears of 1636, and 472*l.* of 1637. Statement of arrears remaining, for 1635=4,536*l.*; 1636=7,049*l.*; 1637=19,259*l.*; and 1638=19,683. [1 p.]

Nov. 23. 6. Bill of complaint addressed to the King by John Chamberlain, of Prestbury, co. Gloucester. Prays writ of subpoena against Thomas Lye, Anne *alias* Agnes Lye, and others, to appear in the Star Chamber to answer charges of forgery, perjury, and corruption, by which false proceedings complainant is debared from his lawful possession of three acres of pasture situated in a place called Bakeing Rudding, belonging to Chuchdown manor, in the parish of Churchdown co. Gloucester. [Draft. 22 pp.] *Annexed,*

6. I. *Another bill of complaint of the same in the same cause addressed to Lord Keeper Coventry. 1638, June 7. [Draft 14 pp.]*

6. II. *Replication of John Chamberlain, complainant, to the answer of Thomas Lye and Agnes alias Anne Lye, defendants. [Undated. 3½ pp.]*

6. III. *Further bill of complaint by John Chamberlain addressed, to John Earl of Bridgewater, Lord President, and the Council in the Marches of Wales. 2 July 1638. [Imperfect. 39 pp.]*

Nov. 24. Warrant to Philip Warwick for preservation of his Majesty's game of all sorts within the manors of Bawdens and Frogpoole, Kent. [Docquet.]

Nov. 24. 7. Order in Council. The sheriffs of London and Middlesex Whitehall. appearing this day to give an account of the arrear of the ship-money for Middlesex, notice was taken of sundry miscarriages in the assessing, collecting, and levying of ship-money in London, by which those who are willing to pay the said money are discouraged, refractory persons encouraged, and his Majesty's service for the protection of his subjects in general and particularly the merchants prejudiced, both there and in other places, by the evil example in the city, and likewise the Chamber of London unduly burthened and endamaged. Ordered that Lord Goring, vice-chamberlain to his Majesty, Lord Cottington, Lord Newburgh, chancellor of the Duchy, and Sec. Windebank, or any two of them, shall examine all miscarriages and proceedings by which the service may have received prejudice in this business upon the writs issued in 1638 or in any former year, and for that purpose shall send for any officers of the city or other particular persons, or such as have refused to pay the said duty, and for any bills, books, or other papers they in their judgment shall find fit, and hereof their Lordships are to make a report to his Majesty and this Board. [Impression of Council Seal. ½ p.]

Nov. 24. 8. Account by Thomas Atkin, sheriff of Middlesex, of ship-money payable by writs issued in 1637. Middlesex was assessed for

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setting forth a ship of war in 1637 at 5,000*l.*; of this sum 1,332*l.* was apportioned to Westminster, Tower Liberty, and Minorities, and 3,668*l.* to be collected in Middlesex. Total paid to Sir William Russell, 3,132*l.* 3*s.* 6*d.*, leaving uncollected 535*l.* 16*s.* 6*d.*, which I see no hope to receive. [*On the back are rough notes by Nicholas touching the collection of ship-money. 1 p.*]

Nov. 24.

9. Account of ship-money payable by writs issued in 1638} Sum in charge upon co. Middlesex, 1,800*l.*; viz., upon Westminster, Tower Liberty, and Minorities, 404*l.*; on the county, 1,396*l.* Of which last 346*l.* uncollected. It is added:—1. Many persons are dead, decayed, or gone from their places of abode. 2. Many were citizens upon whom no distresses could be taken before Michaelmas, whilst the sheriff was in office, and now their houses are shut up as they reside in London. 3. Many graziers, inn-holders, and others assessed for land in Middlesex who live not there. 4. Many distresses now taken and cannot be sold. 5. Hackney consists of citizens chiefly, and there is but 5*l.* paid of 34*l.*, by reason of one Mr. Chamberlyn, a collector, who refused to attend his office, the citizens being removed to London and their houses shut up. More distresses this last year taken than any preceding. [*1 p.*]

Nov. 24.

10. Statement touching ship-money charged upon co. Hertford in 1637. Assessed 4,000*l.* Paid to Sir William Russell, together with 60*l.* 7*s.* 7*d.* in the hands of Thomas Coningesby, the then sheriff, 3,444*l.* 18*s.* 10*d.* The mayors of Hertford, St. Albans, and Berkhamstead are to account for 200*l.* [*3/4 p.*]

Nov. 24.

11. Vice-Dean and Chapter of Winchester to Archbishop Laud. We received your signification of his Majesty's pleasure commanding the cessation of our elective copyholds with all due acknowledgments and submission [*see p. 93, No. 47*], which, because we are required punctually to observe, we desire you would vouchsafe us a clear resolution of one doubt that seems to us to occur in your letters touching the time only when this, his Majesty's order, should commence. It seems to be so limited there, that at this audit it should begin, whereas the choices were suspended for three years past. If then his Majesty intend but three years' benefit of these rewards to Mr. Dean and the officers, as your letters seem to import, we hope it is likewise his pleasure that these rewards should begin where they were first stopped and suspended, upon the senior prebendaries that were in office then in 1637, and so they would end it this audit with the juniors when our new statutes begin to take place, otherwise the officers of the years past would be omitted unrewarded, whereof some are gone, and their right would be transferred on others. But if his Majesty's indulgence be for six years intended we shall in all obedience submit. [*Seal with arms. 1 p.*]

Nov. 25.
Edinburgh
Castle.

12. Patrick Lord Ettrick to the King. I here present to your Majesty a draft of the outward works, which I should have sent by

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your Commissioner if they had been then finished. The wall by the outmost gate is part fallen down, and the rest ready to follow it, which the Lord Commissioner did see, as well as I can, though not as well as I could wish. I have secured it by a work of palisadoes until it be, when more seasonable weather comes, re-edified. This wall the Covenanters built, and also the walls by the new gate, which are cracked from top to bottom, and I believe will fall soon after the next frost, which will much prejudice and weaken the new gate, and make all the outmost works liable to the least assault. Therefore, if your Majesty and your people are not likely to agree, I beseech you to give order to your Commissioner that I may in good time have a supply of trusty men to defend them for the soldiers here, being so few, have so hard a watch that some of them are sick therewith already. And for the people, though yet in all respects they keep a fair correspondence with me, yet they are not to be trusted, because they know your Majesty's keeping this place is no small hinderance to their ill intentions. If your Majesty think my counsel worthy to find approbation, I would advise your Majesty to build the outmost works conformable to the works pricked both within and without the spur in this my draft; being so built they will be in many respects stronger, and defend themselves with 100 men less than they now require, which will save some charge to your Majesty, and I am confident it will be less chargeable to build them conformable to this draught than to new build and repair the works as they now stand, for there is much good stone and other material about the spur; and the walls which the Covenanters built must of necessity be new built from the foundation. For the outmost gate, which is a very fair one, it may with a small charge be removed. I beseech your Majesty to consider hereof, and not to believe any reports you may chance to hear concerning the strength of this place, or what else concerns it until you understand my answer thereunto. I beseech your Majesty that I may receive your commands by the next convenience, and there shall be nothing wanting in me that may advantage your service, desiring to live no longer than I shall show myself your obedient servant. [*Endorsed by Sec. Windebank: "Delivered to me 12th December." Seal with arms. 1 p.*]

Nov. 25.
Tower.

13. John Taylor to Sec. Windebank. I crave pardon that I am forced to importune you, since my misery and extreme want do oppress me. I have been forced since I came home to pay many debts made for his Majesty's service, and am still a great deal indebted, which together with my imprisonment have reduced both me, my wife, and children to extremity of misery and necessity. I cannot now find the credit that I was wont. I am infinitely sorry that through my action or mistaking his Majesty finds himself dis-served by me, for I take God to witness that now these 11 years that I have been continually employed for him I have not only not done anything contrary to, but have not omitted anything which, according to my weak understanding, might conduce to his

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royal service. If therefore for want of prudence or through too much zeal for his interest anything has happened contrary to my desire, I hope it will be a testimony of his Majesty's great clemency, goodness, and mercy not to impute it to a poor man who has been always most faithful to him, and much less to let the burden of his error lie upon a distressed woman and three innocent children. These my miseries are not feigned, but most true and real, which I beseech you to represent from me to his Majesty, together with the great hope I have in his mercy and goodness. I shall herein receive an extraordinary obligation from you. [*Seal with arms.* 1 $\frac{3}{4}$ p.]

Nov. 25.

14. Cases of relief for alimony extracted as precedents from the Close Rolls and other records shewing what was the practice of the Common Law and Courts of Equity in former times. "So as the reason of the common law, and equity which always follows the reason of the common law, being that a *femme couverte* in cases of necessity may sue her husband and be relieved for maintenance, it is humbly desired [in the case of Jane Evelyn, wife of George Evelyn,] that she may be admitted to sue and have the relief of the court." Further instances are adduced to shew that the Chancery used to assist other courts. *Endorsed by Archbishop Laud as received this day.* [2 pp.]

Nov. 26.

Petition of Christopher Wren, Dean of the Royal Chapel in the Castle of Windsor, to the King. Edward III., founder of the said chapel, did by statute invest the custos or dean thereof and his successors with the fulness of all ecclesiastical power and authority for the government thereof, and likewise by statute conferred the whole authority of the absent deans upon their lieutenants, who were to be chosen by the deans from amongst the canons resident, upon pain of perjury, whensoever they, the deans, should have cause to be absent above seven days. Of late times one of the canons, by pretence of an unjustifiable chapter act, has gained to himself and peremptorily withholds the whole exempt jurisdiction of the peculiars abroad, and some others at home have unduly practised to infringe the said authority in the dean and his lieutenants, to the dishonour of that royal foundation, violation of the statutes, disparagement of the dean, disheartening of the lieutenant, hindrance of the present government, and frustration of some of your Majesty's late orders and commands directed to the dean under your royal hand. May it please your Majesty, as supreme moderator in all ecclesiastical causes and as founder and sole patron of that church, to refer these petitioner's grievances to the Archbishop of Canterbury and the Lord Keeper, as visitor of that your collegiate chapel, to hear and redress the injuries which the now dean suffers in his jurisdiction, and to restore the statutes to their ancient force and vigour. *Underwritten,*

1. Reference to the Archbishop and Lord Keeper as prayed, who are to settle the differences in such manner as they shall

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think best for the peace of that church. Whitehall, 26 Nov. 1639. [Copy. See Book of Petitions, Vol. ccciii., p. 116. 1½ p.]

Nov. 26.

15. Petition of Thomas Infield, clerk, to Archbishop Laud. Petitioner during the vacancy of the bishopric of Peterborough was licensed by your Grace, Oct. 26th, 1638, to serve the cure of St. Peter's, Irtlingborough, co. Northampton, and William Crane, clerk, was super-licensed by you upon a pretended title of Edward Lord Vaux to the nomination of the curate's place there, you not being informed, as petitioner conceives, that he was before licensed. Being forced to search records, he found that church to be a vicarage, and has presentation to the same by the King, and institution and induction from you; notwithstanding which, he is denied possession by Crane. In January last petitioner commenced suit against Crane and George Broughton, Lord Vaux's bailiff, defendants in the High Commission touching the premises. Prays his Grace to assign his cause for a peremptory hearing the first court day of next term. *Underwritten,*

15. I. *Reference to Sir John Lambe to take care that this business be brought to a speedy hearing. 26th Nov. 1639. [¾ p.]*

Nov. 26.

16. Petition of Sir Walter Roberts to the King. Petitioner being indebted to his Majesty 2,100*l.*, for the more speedy payment thereof has made over all his estate and left no power in himself to give satisfaction to his other creditors till this debt to his Majesty be paid, which otherwise was in danger to be lost. His suit is, that in regard he has been so careful to have this debt paid before any other, and that almost all his creditors are willing, as by certificate annexed appears, that he may have his Majesty's protection and also may make sale of timber and other things for the payment of his debts. He had taken a course to pay, if he had not been hindered by the death of his son. He is principally trusted and employed about the ordering and oversight of the aqueduct which is to be brought from Hoddesdon to London and Westminster, which work much concerns his Majesty's service and good of those cities, and will be much prejudiced if the petitioner have not his liberty to follow it. Prays his Majesty's protection for himself and his sureties for a year, provided his sureties be protected only against petitioner's debts and not their own or others', and that the whole sum for which they or any of them stand bound with him amount not to above 2,500*l.* *Underwritten,*

16. I. *Reference to the Council to take such order therein as to their wisdom shall seem fit. Whitehall, 26th Nov. 1639. [1 p.] Annexed,*

16. II. *Certificate of John Earl of Thanet and other creditors of the petitioner. Are willing to give petitioner a year's time to see what course may be taken for his relief and the payment of his debts, amounting to 9,910*l.* 25th April 1639. [1½ p.]*

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[Nov. 26 ?]

17. Another petition of the same to the same. Was left much in debt by his father, and has had many great crosses and troubles since, which have made his debts greater. Having married his eldest son to the only daughter of Sir Matthew Howland, did upon the marriage settle the greater part of his estate upon his son and his issue, and did about a year since procure Sir Matthew and his son to consent to the sale of those lands which were so entailed. He thereupon sold the same to Alderman Wright and Thomas Smith, citizens of London, for 19,000*l.*, of which 10,000*l.*, was to have been paid at Michaelmas last, when the assurances were to be sealed and perfected. But they cavilling about the bargain, though the same were under both their hands and 1,000*l.* of the money paid, petitioner was forced to sue them in Chancery for the performance of the said agreement. Since then petitioner's son having died and leaving issue male petitioner has no power to make sale of these lands. Prays that in regard he owes great sums to his Majesty and other men, and is much employed in a business that concerns his Majesty's service, and has no way to pay his Majesty but by the sale of these lands, his Majesty would settle some course to enable his grandchild by Privy Seal to suffer a recovery of the said lands, whereby to make good his father's act, by which means petitioner will be able wholly to disengage himself, and in the meantime that his Majesty would grant a royal protection for himself and sureties for one year. [$\frac{3}{4}$ p.] *Annexed,*

17. i. *Reasons to move his Majesty and the Council to grant petitioner a protection for himself and his sureties for one year.* [$\frac{3}{4}$ p.]

Nov. 27. Warrant to pay a pension of 200*l.* per annum to George Vaux during his life, as of his Majesty's free gift. [*Docquet.*]

Nov. 27. Grant, whereby his Majesty, in consideration of 200*l.*, consents to disafforest the manor of Easton Maudit, co. Northampton, and certain lands lying in Bozeat, in the said county, being the lands of Sir Christopher Yelverton, with a pardon to him of all offences committed against the forest laws in the premises, together with liberty of free warren and license to impark 500 acres. [*Docquet.*]

Nov. 27. Warrant to pay 160*l.* to Asa Scandever in satisfaction of the like sum due for services done by his father lately deceased. [*Docquet.*]

Nov. 27. The like to pay 67*l.* 4*s.* 8*d.* to Matthew Goodrick, painter, for work done in her Majesty's stables. [*Docquet.*]

Nov. 27. The like to pay 2,000*l.* to Edward Morgan and four others entrusted by the creditors of Sir Allen Apsley to receive the same, and is in consideration of 1,024 acres imparked for his Majesty's use out of the forest of Galtres, co. York, which forest was conveyed to certain patentees for the benefit of Sir Allen's creditors. [*Docquet.*]

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Nov. 27.
Berwick.

18. Capt. George Payler to Sec. Windebank. I perceive that strict command is directed hither for the speedy prosecution of the works intended for the defence of this garrison, the which has been carefully observed, but such defect there has been in contriving of the work that some part thereof is fallen down. The wall about the town, upon which a great body of earth was placed, is so weak and ruined that the stones on the top of the wall supporting the front of the work fell down, and consequently the earth. But now Capt. Lloyd, the engineer, has altered the form of his work, causing the works to be removed a good distance from the wall, as in former time they were, and reduced to smaller dimensions; so that I hope no more impediments of the same nature will occur to retard the prosecution of these works. Thus much I presume to acquaint you with, lest by rumour from others it might be aggravated. The damage as yet cannot, I suppose, exceed 40*l.* or 50*l.*, which, peradventure, may save 500*l.*; for if it had been continued in the same manner doubtless it would have been of no effect. And now give me leave to let you know that I have solicited the Lord Treasurer for a further supply of money, for that my usual payments, with such emergent occasions as do necessarily attend, will be an occasion for the speedy dispending of that remainder now in my custody, wherefore if I may find your furtherance in procuring an additional supply it will be the greatest encouragement that can happen to me. [1 p.]

Nov. 27.
Berwick.

19. Capt. Charles Lloyd to the same. I sent you by the last post the card [or plan of Berwick] with the defects of the fortifications, I hope to your content. The work is at present interrupted by a great fall of snow. The masons' time of the year is almost past; the carpenters I shall endeavour to employ with all diligence. The old stonework shrinks with the least weight. I have eased this work by taking away the earth which lay upon the stonework four feet in the bottom, so the breastwork will remain 12 feet at the top, which is cannon proof. There are not three cart-loads of earth fallen down in all, and it has no crack at all. I thought fit to acquaint you with it, lest it might be imagined a greater loss than there is, which will not amount to above 10*l.* [1 p.]

Nov. 27.
Clerkenwell.

20. William Earl of Newcastle to the same. Mr. Mason, an old acquaintance and friend of mine, having a petition to present to the King depends wholly on your favour. I desire that you will give him leave to make known his business to you, and vouchsafe him your assistance to represent it, and procure him a timely answer. [1 p.]

Nov. 27.

21. John Mitchell and Laurence Raine to Sir Henry Vane. The last sessions being at the time of the keeping of our courts, neither Mr. Conyers nor myself could attend. It happened that Mr. Ward being there, procured an order that none should brew or have license within Raby, Staindrop, and Barnard Castle, but those who were named in the notes under your hand. If you would signify your

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pleasure by writing, giving us liberty to change some, that we may show it to the justices at the next sessions, it would make all the rest more observant, and thereby we should be the better enabled both to pay your rents and to be at charges with repairs, which will cost us this year at least 20 marks. We find Sir William Darsey very ready and willing to do anything he can. [*Seal with crest.* $\frac{3}{4}$ p.]

Nov. 27. 22. Request of Philip Holman, late sheriff of co. Northampton, in which he desires the Council to give certain orders to the constables, headboroughs, and other officers to aid him in levying and collecting the ship-money charged upon the county in 1638, and also to take other measures here fully detailed to that end. [$\frac{3}{4}$ p.]

Nov. 27. 23. Bill and receipt of Thomas Vyner, silversmith, amounting to 79*l.* 16*s.* 6*d.* From the endorsement it would appear that the purchaser of the plate was Edward Nicholas. [$\frac{1}{2}$ p.]

Nov. [27.] 24. Subpœna addressed to William Ducocke, William Lovelock, Arundel House. and Stephen Webb *alias* Richman, for their appearance before [Sir Edmund Sawyer] to give evidence in a cause depending in the Exchequer between Sir William Calley *versus* J. P. [*Draft.* $\frac{1}{4}$ p.] *Underwritten,*

24. I. *Certificate of Sir Edmund Sawyer, auditor of the Exchequer, that Sir William Calley had by virtue of letters patent granted in 8 Car. I., the office of receiver of his Majesty's revenue in cos. Oxford and Berks, and began his first account for the year ended at Michaelmas 1633, and so continued till Lady Day 1637, and together with Michael Holman, now his Majesty's receiver of the same counties, made and finished their account for one year ended Michaelmas 1638, during which term Sir William has paid his receipts and declared his account for the same within the time limited by the statute, and that there are no arrears due to my knowledge.* [$\frac{1}{4}$ p.]

[Nov. 27.] Poem of four stanzas, commencing:

"Some say the world is full of pelf,

"But I think

"There is no chink, &c."

[*Written on the same paper as the preceding.* 1 p.]

Nov. 27. 25. Certificate of Sir Edmund Sawyer, Francis Phelips, and Edward Burgh to the Council. According to an order made the 16th October last, we have perused the certificate lately made by Sir Thomas Fanshaw touching debts assigned to the King by accountants and debtors, and debts by bond taken in the King's name conditioned for payment of money to others, and inquisitions uponaid for any debt due to the King in the eighth year of his reign, and the proceedings thereupon both then and since. And touching the number of debts of those natures, and of the persons who have made use of the sums so turned over, levied, or put in process, which

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by direction of former orders we are to certify, we report as follows: the number of inquisitions taken to be about 244, and the debts found due to the parties against whom the process issued to be 759, and that 301 writs of *scire facias* have been issued against divers of the debtors, and 254 writs of extent, but against most of them only writs of inquiry and no further proceeding, and upon some of them no proceeding at all. But upon all the writs issued we find little above 7,000*l.* in money and goods, and land seized to the value of 750*l.* per annum. The number and names of the persons who have made use of his Majesty's prerogative and the sums turned over or put in process are then particularized. [6 pp.]

Nov. 28.

Petition of the Mayor and Burgesses of Kingston-upon-Hull to the King. Petitioners have been long prosecuted in the Exchequer by some of your Majesty's coachmen at the suit of the Attorney-General, upon pretence that they have not kept your castle and blockhouses there committed to their custody in sufficient reparation, and hereupon the endeavour has been to have the forfeiture of divers lands formerly granted to the petitioners by Edward VI., though not for any such reparation, but for other service and under the yearly rent of 8*l.* 10*s.* 1*d.* payable to the Crown, as by the state of the case annexed appears. In Trinity term 1637 the cause was heard before the Lord Treasurer, Chancellor, and Barons of the Exchequer, and no default was found in petitioners touching the reparation of the said houses, yet by violence of the prosecutors they are still pursued and the suit continued. The 50*l.* per annum allowed by the Crown for reparation, together with above 100*l.* more out of petitioners' own revenue, has been spent *communibus annis* in this work of reparation, and the houses have been and are thereby kept in sufficient repair. The present condition thereof, as also of other chargeable works undergone by petitioners for defence and safety of the town and your Majesty's magazine there, may be attested by Capt. William Legge, employed there in your Majesty's service, as also by the Lords who this last summer were pleased to view the same. No cause appearing for their prosecution, petitioners pray that the suit against them may be taken off and discharged, and that if upon nice construction of law any defect appear in the grant of land made by Edward VI., your Majesty in your accustomed goodness will rectify the same; also that a caveat entered before the Lord Keeper, "that nothing shall pass the seal concerning their town," may no longer rest upon petitioners as a note of your displeasure, which is a greater affliction to them than any other.

Underwritten,

i. *His Majesty being well satisfied of petitioners' readiness and affection to his service, is pleased to recall the caveat sent to the Lord Keeper, and that he shall vacate the same, and the Attorney-General is to supersede and discharge the suit brought by him against petitioners in the Exchequer concerning the lands aforesaid. Whitehall 28 Nov. 1639. [Copy. See Book of Petitions, Vol. ccciii., p. 132. 1 p.]*

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Nov. 28. 26. Thomas Smith to Sir John Pennington. The Lord Admiral Queen Street. having now been pleased to make a division of the convoy-money I have thought fit to acquaint you with the particulars by the enclosed note, to the intent I may receive directions from you and those captains who are with you how I shall dispose of your dividends. How the other 300*l.* is disposed of I cannot tell, for I deliver it up whole, and never see any piece of it afterwards. I could wish that your share had been greater, in regard of your extraordinary summer's charge; but I hope the winter convoy will make amends for all. Concerning the time of your summer's pay, which you mention in yours of the 25th, I thought it unnecessary to express it in mine, because the summer's employment is always to be understood for six months, and so the other two have received theirs, which I think is no injury to you. We shall now shortly prepare to send you some acates, according to our custom, and they will be as like the former as we can make them, except you give order for alteration of any particular. Here is little news stirring, only the death of the Earl of Kent, unto whom one succeeds in the earldom who is a minister, and has divers daughters, some married to farmers and some to mercers, who will be much troubled to know how to carry themselves like ladies. Some three days ago likewise died Sir John Worsenham, and has left young Sir John a great estate. The King and the Scots still disagree, and the Earl of Traquair is daily expected from Scotland. The business between the Lord Deputy [Wentworth] and the Chancellor is now ended before the King, and the Chancellor has come off with great disgrace, and is turned over to the Star Chamber. [*Seal of the Lord Admiral.* 1 p.]

Nov. 28. 27. Robert Reade to his cousin [Thomas Windebank]. The news of your coming safe to the seaside was very welcome, yet that of your safe landing on the other side will be more welcome, when we shall be so happy as to hear it; till we do we will hope it, and also that you are at your journey's end. I would you were as well at the end of your business that we might begin to hope for your return. According to your command I have since your departure waited upon the Earl of Dorset and told him that you gave me in particular charge to present your services to his Lordship and to desire the countenance of his favour and good intentions towards you; to which he answered, with great earnestness and affection, let him assure himself I will do it for my own sake, and withal asked me how long I thought you would be absent. I answered that I hoped you would return before Christmas; he replied the sooner the better, and so I left him. All your friends are as you left them, only I have been surprised with a cold, which has imprisoned me in my chamber these two days. I wish you good success in your employment. [1 p.]

Nov. 28. 28. Lady Eliza Hatton to Sec. Windebank. Besides many Hatton House. occasions of business, age and want of health make me trouble

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you so far as to request you to move the King that I might obtain his Majesty's license to reside in London this Christmas. [$\frac{3}{4}$ pp.]

Nov. 28. 29. Commissioners for the Tobacco Licences to Sir William Tobacco Office. Becher. We desire you to procure a warrant from the Council against Thomas Gatter, Arthur Crocker, William Hinde, and Thomas Peline, all being great offenders in selling tobacco without license in cos. Cornwall, Devon, and Dorset. [$\frac{1}{2}$ p.]

Nov. 29. Petition of Robert Handcock, William Handcock, and Peter Davie, of Cornwall, brethren and tinnors, to the King. Petitioners have laboured more than two years for the gathering in of their debts for the payment of their own, and made several journeys to London on foot for procuring some order to that end, but have not as yet obtained any. Their creditors refuse to forbear longer, but threaten to cast them into prison. Pray his Majesty to give power to Lord Robartes, Thomas Hearle, J.P., and Joseph May, minister, all of co. Cornwall, to call before them petitioners' creditors, and take order for satisfying their debts out of their labour, they having nothing else to subsist upon. *Underwritten,*

Reference as prayed. Whitehall, 29th Nov. 1639. [Copy. See Book of Petitions, Vol. ccciii., p. 120. $\frac{3}{4}$ p.]

Nov. 29. Petition of John Bankes to the same. Petitioner in self-defence hurt Randle Nicholls in the arm, but without any malice on his part, of which hurt Nicholls died. Upon trial, both by the coroner's inquest, grand jury, and jury of trial, it was only found manslaughter. Prays the King to pardon his offence, and any forfeiture that may be occasioned thereby, petitioner having a wife and nine children. *Underwritten,* His Majesty's pleasure is that the judges of assize shall certify him the nature of the offence, and how it was found upon the trial, whereupon he will signify his further pleasure. *Whitehall, 29th Nov. 1639.*

i. Subjoined certificate that two indictments, one to the coroner's inquest, the other to the grand inquest, were preferred against Bankes for murder of Nicholls, both which were found "ignoramus" for the murder; but a third indictment, for manslaughter only, was found; and the case appeared to be that Bankes and Nicholls, whilst drinking together in a wine tavern in York, fell out, and, upon great provocation offered by Nicholls, they fought, and Nicholls was slain; and after the trial, according to your Majesty's pleasure signified by Secretary Coke, no further proceeding was taken, but Bankes was committed to prison till your pleasure be further known. Dec. 2, 1639. [Copy. Ibid., p. 120. $1\frac{1}{4}$ p.]

Nov. 29. 30. Archbishop Laud to the Dean and Chapter of Worcester. I have lately [see 8th inst.] received a petition from the mayor and citizens of Worcester, subscribed not only by them but by the bishop of the diocese and divers of the prebendaries then present, touching

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inconveniences arising from the removal of certain seats from the west end of the cathedral [see p. 79, No. 26]. Having represented this business to his Majesty, I am directed to give this answer. The seats mentioned at the west end of the church were fixed and raised very high, and so were also the seats for the bishop and the dean and chapter. This was and is thought very inconvenient to be yielded unto, for many reasons too large to be expressed in this order. But this his Majesty is well content with, that the preaching place shall be returned to the west end, where before it was, and that there against the dead wall shall be placed moveable seats, decent, handsome, and easy, for the mayor and his brethren; and like moveable seats, one for the bishop, and another for the dean and chapter, in the most convenient places which they shall choose for themselves; with forms, as they formerly had, for the other citizens. No seat to be raised higher than the ordinary, save only those for the bishop, the mayor and his brethren, and the dean and chapter, which are not to be above a handfull or two handfulls at most higher than the rest, only for decency sake. All the seats to be moveable, and to be removed into some convenient place, there to remain all the week after. If nothing be intended in this petition but larger room to hear the sermon, and convenient sitting, this is abundantly sufficient for them. But the church is not to be disordered by any fixed and permanent seats, much less with such high and lofty ones as were formerly there. The performance of this order his Majesty leaves to you, the dean and chapter, to see settled; but requires that it be punctually observed, and transcribed into your register book, so soon as ever all things are well settled according to it. P.S.—You are, in the ordering of this business, to keep up the organ-loft for that place and service as decent as you can, and to acquaint the mayor and his brethren how gracious his Majesty has been towards them and their request. [*Draft in Laud's hand. 1 p.*]

Nov. 29.
Plymouth.

31. Abraham Biggs to [Nicholas]. By this week's post I received a warrant from the Secretaries of State, which I perceive is generally sent to all the stages, which I was glad to peruse, hoping thereby that all former abuses will now be amended. This instant is come into my hands the enclosed packet from Spain, which came by the Blessing, of Stonehouse, whereof Richard Andrew is master, who is not yet come into the harbour, but rides in the Sound. It is accompanied by a letter to the writer from Prestwick Eaton from Bilboa, concerning letters forwarded to Eaton by Biggs. [1 p.]

Nov. 29.

32. Examination of Simon Pettiward, clerk, taken this day before Attorney-General Banks and Solicitor-General Littleton. About seven years since, the examinant commenced bachelor of arts at Kembridge [Cambridge], and shortly afterwards served the cure under his father, who was vicar of Walton, Suffolk, until he died, which was about three years last Christmas. After that, examinant officiated, the cure for half a year under Mr. Scott, parson of St. Clement's, Ipswich, and about three quarters of a year since

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left that place. About that time he wrote the several manuscript passages in Mr. Bolton's work now showed him, viz., two epistles before the said book, the first beginning "The King of Heaven to the King of England. Are not these the times?" and ending "haste on." The other entitled "To the truly greatest of Christian princes, Charles, of England, Scotland, and Ireland King," and beginning "My dread Lord, I side not with rebels," and subscribed "Symon Petteward." Also several passages in the margin of a Life of Mr. Bolton herein stated. He bought the said book, and inserted the several passages while reading the book over, with intention to present the same to the King, which he did on Thursday in Easter week last, his Majesty being then at York. Was never parson nor vicar of any church. These passages were in the book when he presented the same to his Majesty. *Underwritten in the Attorney-General's hand*: Mr. Pettiward [at first] refused to subscribe this examination, but the 23rd Dec. 1639 he subscribed the same. [2 pp.]

Nov. 30. Presentation of Michael Mylls, clerk, to the vicarage of West Rudham, in the diocese of Norwich, void by the death of the last incumbent, and in his Majesty's gift *pro hac vice* by reason of the wardship of Roger Townsend, Bart. [Docquet.]

Nov. 30. Presentation of John Goodwyn, clerk, to the rectory of East Barnet, with the appurtenances, in the diocese of London, void by the resignation of the last incumbent, and in his Majesty's gift *pleno jure*. [Docquet.]

Nov. 30. Grant of a gunner's room in the Tower of London, with the fee of 6*d.* per diem, to Arran Freinds during his Majesty's pleasure, to commence from the death of Francis Roach, who lately held the said place and fee. [Docquet.]

Nov. 30. A like grant to Edward Scarlett, in the room of Lybeus Croft. [Docquet.]

Nov. 30. Warrant to pay 30*l.* per annum to Ralph Potter, keeper of West-baily Walk, Enfield Chase, in place of John West, deceased, and to the keeper that hereafter shall be, for provision of hay for the deer in that walk. [Docquet.]

Nov. 30. Warrant to the Treasurer and Under-Treasurer of the Exchequer, authorising them to grant a warrant to the contractors for cards and dice to agree with the card-makers and dice-makers for providing a third sort of cards and dice at the rate of 2*s.* 6*d.* per dozen pair of cards, and 2*s.* 9*d.* the dozen bale of dice, answering to his Majesty only 1*s.* 3*d.* per dozen. [Docquet.]

Nov. 30. 33. Petition of Gilbert North, his Majesty's servant, to the King. Petitioner's brother, the late Sir John North, expended great travail and charge in clearing his Majesty's right and interest to divers wardships and liveries in co. Denbigh; but he dying, leaving the business unperfected, petitioner and some others have since carried it on. The clearing of which title will be of very great consequence to the

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Crown in future, and raise some benefit to your Majesty for the present. Prays a grant for 15 years of three parts in four of the profits accruing, by composition, suit, or otherwise, from such as shall be discovered by petitioner and his assignees within that county not to have compounded for their wardships, or not to have sued out their liveries, or not to have made satisfaction for their encroachments upon the King's waste land; also from all such as shall voluntarily come in, submit, or compound. That his Majesty would signify his pleasure to this effect to Lord Cottington, Master of the Court of Wards, and give direction that the assistance of that Court may be effectually had by petitioner for perfecting so great a service to the Crown as this is like to prove. *Underwritten,*

33. I. *Reference to Lord Cottington to take into consideration the charges and pains of petitioner's late brother in this suit, and if his Lordship shall approve of the service now to be perfected by petitioner, then to give order as is desired, or else to certify the King his opinion. At the Court at Whitehall, 30th Nov. 1639. [1 p.] Subjoined,*

33. II. *Report of Lord Cottington to the King. The request of petitioner is in effect that he may have the benefit of all tenures and wardships in co. Denbigh which, either by prosecution or voluntary composition, shall be brought in by the space of 15 years. Hereupon I am to inform your Majesty that since I came to be Master of the Court of Wards, I have, with the advice of the rest of your Council there, employed at your Majesty's charge certain prosecutors and solicitors for the finding of those tenures in that county, by which means many have been discovered, and many others daily submit themselves, to your no small benefit, and without any noise or scandal to your subjects, being done for your proper benefit, and not for any private person. Nevertheless, it is the course of that court, and directed by your instructions, that if any private person shall discover and prosecute any concealment whatsoever, he has his reward by the benefit thereof when the work is done; and so may petitioner, if he have any particular concealment, wherein he shall have all the assistance the court can give him, either in that county or any other. But to make a grant beforehand of a whole county of all concealed tenures therein either prosecuted or voluntarily submitted, I leave it to your Majesty's consideration how unfit it will be, especially in this case, when the work is in a manner already perfected at your charge. 7 March 1639-40. [$\frac{2}{3}$ p.]*

Nov. 30.

34. Petition of David Ouchterlonie, one of his Majesty's pensioners in ordinary, to the King. Theophilus Earl of Suffolk, Robert Earl of Ancram, John Lord Mohun, and John Gay were trusted by Sir James Ouchterlonie, deceased, for the ordering of

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several portions given by him to Elizabeth, Mable, and Walter Ouchterlonie, his natural children; which said Elizabeth, petitioner, married, and is since deceased; so as petitioner ought to have all the whole portion intended unto her by her late father, part whereof petitioner received in his wife's lifetime upon caution given; and 160*l.*, being a further part, remains in the trustees' hands; as also one bond of 1,600*l.* for the payment of 800*l.*, being another part, remains in the hands of Alderman Gurney. Prays order to Archbishop Laud, the Lord Keeper and the Lord Privy Seal, referees appointed for determination thereof, that they may cause the trustees to pay petitioner his wife's part, that the 160*l.* be paid to him, and that the bond which Alderman Gurney has, and also the caution given as aforesaid, may be re-delivered to him. And for that Walter Ouchterlonie is dead likewise, and the portion of Mable, the only survivor, is settled, if in case she die before marriage, on the petitioner and his children, that the trust touching Mable may be transferred from the present trustees, living remote and distant from London, and to set the same on such others as the Lords referees shall think fit. *Underwritten,*

34. I. *Reference to the above-named referees to direct such course for settling this business as they shall find to be just.* 30 Nov. 1639.

34. II. *Memorandum, signed by the referees, appointing the 6th Dec. for hearing this business at the Council table, and requiring all parties concerned to attend.* Dec. 2, 1639. [*Copy. 1 p.*]

Nov. 30. 35. Petition of William Taylor and others to the Council. There is a general plenty of all sorts of grain throughout the kingdom, and particularly in Cheshire and Lancashire; by reason whereof, and the old stores yet remaining, the prices are at such low rates that husbandmen and farmers will not be able to pay their rents, or to subsist unless they be permitted to sell and transport some quantities beyond the seas, as in such cases has heretofore been usual. Pray the Lords to grant warrant for the exportation of 200 lasts of wheat, 200 lasts of rye, and of barley, oats, beans, and peas, 100 lasts each, being such quantities as may be well spared out of those parts.

Nov. 30. 36. Justices of Peace of co. Chester to the same. Confirm the statements made in the above petition as to the plenty of grain in their county, and consequent necessity for transportation of portions thereof, which they certify at the request of the husbandmen and farmers. Prices: wheat, 3*s.* (per measure); rye, 2*s.* 8*d.*; barley, 1*s.* 10*d.*; oats, 1*s.*; beans, 2*s.* 6*d.*; peas, 2*s.* [*3/4 p.*]

Nov. 30. 37. Report of the Officers of the Ordnance, in answer to certain directions imposed upon them by the Lords Committees, the 25th inst. To the first they answer that touching offensive arms, the several artificers for carbines, cuirasses, muskets, and pikes have

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returned their answers, which the officers are ready to present to their Lordships. Concerning defensive arms for horse and foot, Capt. Legg has undertaken to report thereon, it being proper to the Office of the Armoury. 2. The officers of the Ordnance, who were present the first day, could not both attend that service, and render the Lords an account of the rest of their Lordships' commands. It was therefore agreed, with the consent of the Master of the Ordnance, upon the first day's trial the care thereof should rest upon Lord Conway, Sir Jacob Astley, and Sir Nicholas Byron, who undertook to render the Lords an account thereof. 3. For provision of 100 tons of match, the merchant has returned his answer. Had wished their Lordships had given them further particulars as to the number and nature of ordnance, muskets, carbines, and pistols, and whether the proportion of 100 lasts of powder shall be employed for sea or land or both, and what quantity for either, when the writers would have been able to have rendered a more particular answer, but they here give accounts of proportions observed in former expeditions. The state of match and shot in his Majesty's magazine is drawn up, and ready to be exhibited. 4. Have caused the master-carpenter, purveyor, and wheelwright, of many years employment and experience in providing and framing the timber and timber works of this office, to deliver their opinions and answers in writing. We for our own part do hold it our duty to advertise that from the beginning of the time of Queen Elizabeth to this present the usual course for furnishing his Majesty's magazine, ships, forts, and armies hath been to bring all the timber, and materials of wood and timber ready hewn, into the store-houses of his Majesty's magazine, there to remain until they were fully seasoned and fit to be employed; wherein, so long as due payment and providence were observed, there remained store of seasoned material of timber for all occasions of service; which course was so well approved by the late Attorney-General Noy, as having been an eye-witness of the great defects, as well in his Majesty's magazine as forts, became an earnest suitor to the Council, in the presence of some of this Committee (as some of their Honours may haply remember), that it might be revived, and that the principal reason by him alleged for the decay of carriages, platforms, and all other materials of timber proceeded from two causes, viz., the unseasonable felling and too sudden employment of such timber and timber work in the open air and weather, which we submit to your consideration. 5. According to directions several patterns of arms remaining in the charge of the officers of the Ordnance are ready to be presented; the rest Capt. Legg has undertaken. 6. Two several models of musket-stocks were presented to his Majesty on Saturday last. 7. Mr. Ashwell was warned, and has promised to attend their Lordships about the arms sent by Sir Thomas Roe. [*Unsigned.* 1½ p.]

Nov. 30. 38. Benjamin Stone, blade-maker, Hounslow Heath, to the Officers of the Ordnance. Will always be ready to deliver 1,000 swords of all fashions every month throughout the year, and will

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put in such security as the office shall desire. Has now ready, at the Tower and in his own house, 2,000 swords to deliver when the officers shall please. To move the Earl of Newport to grant the writer a warrant to remove the said 2,000 swords into his Majesty's store. [1 p.]

Nov. 30.

Office of
Ordnance.

39. Certificate [by Officers of Ordnance] of shot and match in the Tower this day. Round shot of iron: culvering, 14,654; demi-culvering, 31,828; sackers, 26,372; minions, 3,650; falcons, 9,320; musket-shot, 8 tons; carbine-shot, 10 tons; match, 13 tons. [$\frac{1}{2}$ p.]

Nov. 30.

40. Note of contract by George Fletcher. Undertakes to provide 100 tons of English match in 12 months. Until March be passed I shall not deliver in any; it cannot be made but in the summer. Afterwards I will bring into his Majesty's stores 15 tons per month, in regard the materials are not to be had in the kingdom. My price is 45*l.* per ton; and before I undertake the work I do desire to have, by way of imprest, 1,500*l.* If there be not order taken within these 14 days or a month at furthest, it cannot be done in that time 12 months, this being the season for buying the stuff whereof it is made. The price of Flemish match is 28*l.* per ton, which may be furnished to the quantity of 50 or 60 tons by the end of June. If it be required sooner it may be supplied, but that which is made in summer is best. For Flemish match there has been given formerly 30*l.* per ton, and for English 50*l.* [$\frac{3}{4}$ p.]

Nov. 30.

41. The like of John Gate and William Beauchamp. The price of bandoleers (for muskets), large size, well dressed ox-hide, with bullet-bag and priming-wire, 3*s.* each; next size, leather of same quality, 2*s.* 6*d.* each. Fifteen hundred of these could be supplied for the first month from the receiving of our imprest money, and two thousand each following month, so that we may have ready money. [$\frac{1}{2}$ p.]

Nov. 30.

42. The like of John Edwards and Robert Thacker, pike-makers. Can bring into his Majesty's store monthly 400 long pikes at 4*s.* 6*d.* each, and also 500 musket-rests; white rests at 1*s.* 1*d.* each, and black at 1*s.* each; provided we may have impress money and payment for goods on delivery and proof. [$\frac{1}{2}$ p.]

Nov. 30.

43. The like of Toby Berry. I am able to make 4,000 girdles, hangers, and belts monthly; the girdles and hangers at 2*s.*, the belts at 1*s.* 8*d.* apiece; provided I may receive 200*l.* in hand, and the residue upon delivery of my goods. [$\frac{1}{2}$ p.]

Nov. 30.

44. The like of John Watson and others, of the Gun-makers Company. We undertake to supply monthly 1,200 muskets, 200 carbines, 120 pair of pistols, at the following prices: muskets, 18*s.* 6*d.* each; firelock carbines, furnished, 1*l.* 16*s.* each; firelock pistols, furnished, 3*l.* per pair; snaphaunce carbines, 1*l.* 2*s.* each, furnished; snaphaunce pistols, furnished, 2*l.* 5*s.* the pair: provided that there may be imprest unto us one third part in hand, and upon

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the delivery of the ammunition into his Majesty's store we may receive ready money for the same. [$\frac{3}{4}$ p.]

Nov. 30.

Certificate of the Commissioners for Saltpetre and Gunpowder. We have received a certificate, dated the 1st inst., under the hand of Richard Poole, receiver of saltpetre, [*see that date, p. 68, No. 4*], whereby it appears that Samuel Cordewell has received but 237 lasts 3 cwt. 0 qr. 9 lbs. of saltpetre, accounting 18 cwt. to the last, from the 1st Nov. 1638 to the 1st Nov. 1639. It appears to us that there has been delivered into his Majesty's store in the Tower, by the said Cordewell, for the third year of his contract, his full year's proportion of 240 lasts, accounting 24 cwt. to the last; so as by the said several certificates it appears that Cordewell has with his scummings, &c., furnished himself with 2 lasts 3 qrs. and 16 lbs. of saltpetre to make up his full third year's proportion of 240 lasts of gunpowder. We have, therefore, thought good, at his request, hereby to discharge his Majesty's gunpowder-maker of any future account for his third year's performance of his contract for the said service. [*Copy. Vol. ccxcvii., p. 110. 1 p.*]

Nov. 30.

45. Account by Sir William Russell and Henry Vane of ship-money for 1638. Total received, 51,317*l.* 6*s.* 10*d.*, leaving 18,432*l.* 13*s.* 2*d.* yet unpaid. [1 p.]

Nov. 30.

46. Account of ship-money paid upon writs of 1638 levied and remaining in the hands of the sheriffs, viz., 1,972*l.*, making the total levied and paid 53,289*l.* Arrears for 1635, 4,536*l.*; 1636, 7,049*l.*; 1637, 19,259*l.*; 1638, 18,432*l.* [1 p.]

Nov.

Protection to Philip Burlamachi and Pompeio Calandrini, of London, merchants, for six months. [*Docquet.*]

Nov.

Grant to Capt. Richard Bradshaw of the forfeiture of the estate of Ferdinando Papleston for killing William Lewis. [*Docquet.*]

Nov.

Warrant for the Master of the Jewel-house to pay to the Keeper of the Privy Purse all such moneys as he shall receive for his Majesty's use from the nobility and others at New Year's tide. [*Docquet.*]

[Nov.]

47. Petition of Sir Jacob Astley, Governor of the Fort at Plymouth and Island of St. Nicholas, to the Council. There is due to the said fort at Michaelmas last a year and a half's pay, being 1,533*l.*; and last winter and since, the housing within the fort and island was much broken down and decayed, and will cost 60*l.* [*margin*] 70*l.* [to put it in order]. Lastly, there is great want of all sorts of ammunition, the place not having been furnished long before petitioner's time, but when any want was they borrowed. Prays their Lordships' consideration and order therein.

Nov.

48. Information against Mr. Horwood, Under-Sheriff of Hampshire. 1. By Horwood's authority his deputy and others came to Henry Lord's house, and drove away his cattle for 20*l.* a month,

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without any authority which they could show in writing, and there beat him and his children. *Margin, in Windebank's hand*: "He [Horwood] denies that he gave him [Deane] any authority, or that he is his deputy." 2. They afterwards came to Lord to compound for the cattle taken, which, upon his refusal, they forced him to enter into bond for the value of the beasts, which were appraised at 16*l.*, telling him that if he would come to the under-sheriff for a small matter he might have up his bond. *Margin, by Windebank*: "Horwood says as soon as he heard of it he caused the bond to be redelivered." 3. They served James Deane in like manner, and made him pay 6*l.* and give bond for 5*l.* more. 4. They also came to Robert Dill, seized his beasts for 20*l.* a month, kept his cattle three or four days, until he could get them money, which was about 4*l.*, and then they made him give bond for 5*l.* more, or thereabouts. [Windebank has headed this paper, "Deane the pretended deputy."] [$\frac{3}{4}$ p.]

[Nov.] 49. Petition of Alexander Jennings to the Council. Prays his discharge from further attendance, having waited on the Lords since the second Friday in Michaelmas term 1638. [$\frac{1}{3}$ p.]

[Nov?] 50. Statement touching the defects in the arms sent by Sir Thomas Roe from Hamburgh. The foot arms were old, newly coloured, and mostly defective, through the rottenness of the leathers and buckles, and many so thin and slight as to be no way serviceable. The muskets have old barrels newly patched up and ill stocked, of divers bores wholly unserviceable. Some of the armourers averred that divers of the arms were known by their marks to have been issued out of the armoury some 15 or 16 years since. Many of the pikes were of fir-wood, with little old bodkin heads; others of ash, most of them sawn with broader heads, but not serviceable. The bandoleers, if worse may be, are worst of all. The musket rests are generally of fir-wood, and very short. Touching the horsemen's arms, we find the breasts by their heaviness to be part carbine, the rest pistol-proof. The back too light and thin for the heaviness of the breasts; we conjecture that some of them have been old backs to foot arms. The leathers rotten, buckles weak, pots very old, thin, and ill-fashioned as the back and breast. The pistols are too short, slightly wrought, of several bores, and we suspect will not endure proof. [$1\frac{1}{3}$ p.]

[Nov.?] 51. Account by Thomas Nash of the provisions remaining on board the Thomas, of Woodbridge, the Edward, of Ipswich, and the Marigold, of Aldborough. *Endorsed by Sir John Pennington*: "A note of victuals to go to Berwick." [$\frac{1}{2}$ p.]

[Nov.] 52. Account of his Majesty's contribution money in his expedition against Scotland, &c., collected and unpaid in co. Leicester. Totals: paid, 239*l.* 11*s.*; unpaid, 78*l.* 18*s.* 11 $\frac{1}{2}$ *d.* [$6\frac{1}{2}$ pp.]

[Nov.] 53. Brief of Defence for Thomas Cliffe against Margaret Collison, touching a breach of promise of marriage, the said Margaret having

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been carted in London for keeping a bawdy-house, and further contracted in marriage to William Gallion. [*Much damaged by damp. 9 pp.*]

Nov.

54. Memorandum of proceedings in the cause of Sir Edward Bromfield against Richard Chambers, together with the counter-suit of Richard Chambers against Sir Edward, in an action of trespass and false imprisonment. [*Latin. 28 pp. and 8 pp.*]

[Nov.]

55. Bishop Hall of Exeter to the King. As one whose heart (amongst many thousands besides) with the sad thoughts of the woeful divisions of our dear fellow subjects, unfeignedly pities the misguidance of those poor-meaning souls amongst them whose credulity has heedlessly betrayed them into a zealous error, I have let fall these few propositions, which I have presumed to set down, not as in the way as a challenger, for most of them, if not all, are such as be not capable of contradiction, but rather of a faithful remembrance to my dear brethren of these points which they cannot but know and yield unto, as well supposing that nothing but mere want of consideration can be guilty of the perilous distraction in them who profess to love their King and the truth. Now the good God of Heaven open the eyes and hearts of us all, that we may both see and be sensible of the invaluable blessing of our peace, and the happy freedom of his Gospel, which we do comfortably enjoy under his Majesty's sweet and religious government, to the wonder and envy of all other nations, and compose the hearts of all your native subjects to meet your Majesty's indulgence with all humble thankfulness. And the same God forbid that any of us should be weary of our happiness, and be drawn to do any act that may before all the world pour shame upon our holy profession, whose chief glory it has hitherto always been to render us still loyal and obedient, and in this very regard to triumph over the false religion of our "opposites;" such shall ever be the prayers of your Majesty's most humble and faithful subject and ancient chaplain, John [Joseph] Exon. [*Copy. 1 p.*] *Subjoined,*

55. I. *Seven irrefragable propositions concerning oaths and covenants.*

55. II. *Corollary deducible from the preceding propositions. If, therefore, any sworn subject shall, by pretences and persuasions, be drawn to bind himself by oath or covenant to determine, establish, or alter any Act concerning religion without or against the allowance of sovereign authority, the act is unlawful and unjust, and the party so engaged is bound in conscience to reverse and renounce his said act; otherwise, besides the horrible scandals which he shall draw upon religion, he doth manifestly incur the sin of the breach of the Third and Fifth Commandments.*

55. III. *Two as undoubted propositions concerning Church Government.*

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55. IV. *Corollary deducible from these propositions. If men would as easily learn [what] Christian wisdom can teach them to distinguish betwixt callings and persons, betwixt the substance of callings and the not necessary appendances and the errors of execution, these ill raised quarrels would die alone. [Copy. 1½ p.]*

Nov.

56. Petition of John Hall and Thomas Sheffield of the city of Durham, on behalf of themselves and five others, to the Council. Petitioners having in their houses in the said city retailed tobacco which they bought of the licensed patentees of the same city, as was lawful for them to do, and upon the information of Thomas Tunstall, one of the patentees there, were arrested by Alexander Eston, messenger, and gave bond to appear in the Star Chamber the 22nd inst. unless they paid 9*l.* apiece to the messenger for fees, which will amount to 63*l.*; and Tunstall demanded of some 20*l.*, of some 10*l.*, and of others 5*l.* apiece, which petitioners refuse to pay, for that, by the appointment of his Majesty, the whole matter was referred to the Bishop of Durham, who has made certificate of the truth of the business to you accordingly. Pray that they may be at liberty to buy of such of the patentees as afford the wholesomest tobacco, and that their bonds, so entered into, may be cancelled, and all such fees as may ensue thereupon be remitted, petitioners receiving satisfaction for their charge and trouble herein. [$\frac{2}{3}$ p.]
Annexed,

56. I. *Certificate of Bishop Morton of Durham to the Council, stating his opinion as above in the matter in question between the retailers of tobacco in Durham and the patentees. [1 p.]*

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1639.

Nov.

Book of the Acts of the Court of High Commission for the exercise of ecclesiastical jurisdiction, being an original minute book of their proceedings entered by the registrar every sitting day. This volume extends from the 11th November 1639 to the 7th December 1640; the entries comprising 293 leaves, besides blanks; prefixed is an index of the names of defendants, alphabetical only under the first letter of each name. The entries for the months of November and December 1639 will be found calendared at the end of the year in the present volume. It should be observed that this volume of the Acts is not continuous with that calendared in May 1636 as Vol. cccxxiv., the intermediate vols. being now missing.

VOL. CCCCXXXV. DECEMBER 1-15, 1639.

1639.
Dec. 1. 1. The King to the University of Cambridge. Walter Walker, Westminister. commissary for co. Bedford, having completed the term of years for his degree of doctor of law, and given in his questions to Dr. Goad, law professor, you are required by these letters to call a congregation, and pass a grace admitting him to that degree, he first putting in sufficient caution to you, not only to keep and perform the acts and exercise by the laws and statutes of our university appertaining to that degree, but particularly and especially to answer the Law Act at the next commencement, as he has undertaken to us to do. [*Draft, signed by the King, and originally dated the 20th Nov. 1639. $\frac{3}{4}$ p.*]
- Dec. 1. 2. Copy of the same, dated the 20th Nov. [$\frac{3}{4}$ p.]
- Dec. 1. 3. The Council to the Sheriffs of the several counties of England and Wales. Letter of instruction sent with the writs for ship-money. [*Copy. 12 pp.*]
- Dec. 1. 4. Similar letter, endorsed as sent "to the sheriff of a county in England, viz., Cambridgeshire, wherein there is but one town corporate." [*Copy. $8\frac{1}{2}$ pp.*]
- Dec. 1. 5. The like to the sheriff of a county "wherein are but two corporations." [*Copy. 8 pp.*]
- Dec. 1. 6. The like to the Earl of Cumberland, sheriff of co. Westmorland. [*Copy. $8\frac{1}{2}$ pp.*]
- [Dec. 1.] 7. The like to the sheriff of co. Denbigh. [*Copy. $2\frac{3}{4}$ pp.*]
- Dec. 1. 8. Notes for entering the minutes of letters sent with the writs for ship-money to the several counties and corporate boroughs in the Council Register. [$4\frac{1}{2}$ pp.]
- Dec. 1. 9. Henry Rosse to Sir Henry Vane. According to your letters York. to Mr. Conyers, and a letter from me to him, he repaired with your money to York, where I shewed him the estate I had in those collieries, which was a lease in being for 77 years, the fee-farm in my son, Timothy Rosse, an upholster[er] in Cornwell [Cornhill?] only in trust because he was there to seal the counterparts to the feoffees, your moneys being stayed till we know your pleasure. I have a brother-in-law, one Mr. Harebred, who will be daily at Mr. Shalcrosse's, a skinner's shop betwixt the Temple gates, to whom I have written. He will attend any you appoint to go to my son, whereby you may be fully satisfied in this business, and then there will be nothing wanting in me that may accomplish your pleasure. [$\frac{1}{2}$ p.]
- Dec. 1. 10. William Bassett, late sheriff of Somerset, to Nicholas. I have sent this to give you an account of such moneys as are yet in arrear for ship-money payable by writs issued in 1636, and not transcribed out of Sir Wm. Russell's books of receipt into your note for the Council board. The statement is summed up in Nicholas's

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endorsement as follows: "There will remain only in arrear to be collected 52*l.*, whereof Edward Phillips is to pay 7*l.* 6*s.* 8*d.*" [*Seal with arms.* 1 *p.*]

Dec. 1.
Office of
Ordnance.

11. Account by the Officers of the Ordnance concerning gunpowder. It details the totals in store at the Tower and Portsmouth, the amounts withdrawn for his Majesty's service, and the quantities sold to chandlers from 1st Nov. to this day. [2 *pp.*] *Annexed,*

11. I. *Similar account, 1st July to 1st Aug.* [2 *pp.*]

11. II. *Ditto, 1st Aug. to 1st Sept.* [2 *pp.*]

11. III. *Ditto, 1st Sept. to 1st Oct.* [2 *pp.*]

11. IV. *Ditto, 1st Oct. to 1st Nov.* [2 *pp.*]

Dec. 2.
Clerkenwell.

12. William Earl of Newcastle to Sec. Windebank. I understand that Sir John Brook stands engaged in divers great sums for Sir Philiberto Vernatti, and that Sir Philiberto intends to make trial to procure a royal protection for himself, leaving his surety to the mercy of his creditors; which seems to me an intention of so much injustice, that I cannot refuse Sir John to move you on his behalf, whose petition is that if Sir Philiberto shall proceed in that way to his prejudice, you will be pleased to make stay of those proceedings, which will add one more to the number of your favours to me. [*Seal with arms.* $\frac{3}{4}$ *p.*]

Dec. 2.
London House.

13. Order of the Commissioners for Recusancy. Upon complaint of divers recusants against the under-sheriffs, deputies, or agents to Sir Edward Stanley, late sheriff of co. Lancaster, for exacting extraordinary sums from them upon taking of bonds according to the directions and order of 12 July last from the Commissioners for the southern parts, touching passing of grants and leases at a certain time therein prefixed, the said Commissioners, do order that the under-sheriffs, deputies, and agents in co. Lancaster, and all other the like officers within the northern counties, at their peril, upon notice of this order, shall make restitution and repayment of all such sums to the parties from whom they received the same; and in case of refusal, then, upon complaint thereof made to his Majesty's Commissioners for the northern parts, such further course to be taken therein as the said Commissioners shall think fit. Further the said under-sheriffs, deputies, and agents, and all sheriffs in the northern counties, shall deliver all recusants' bonds taken by them to the Lord Treasurer's Remembrancer, with whom the same are to remain without prejudice to the said recusants, and no process to be issued forth thereupon. And to the intent that his Majesty's revenues arising by recusants may be kept in a constant and regular way, it is further ordered, that all such recusants in the southern parts as have compounded shall at their perils pass their grants and leases before the end of Trinity term next, which further time is given to them in favour, any further order to the contrary notwithstanding. And such recusants as shall hereafter

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compound shall pass their leases and grants in three months for the southern parts, and six months for the northern parts, after their compositions. Further, upon the showing of their letters patents under the great seal of their several leases and grants to the Lord Treasurer's Remembrancer, the bonds shall be re-delivered to the said several recusants respectively, or to such other persons as they shall appoint to receive the same, without payment of fee therefor. [Copy. 1½ pp.]

Dec. 2. 14. Order of the Commissioners for Recusancy. Upon the
London House. request of the recusants, as well within the northern as southern counties, who have or shall compound for their estates, touching the [passing] of their grants and leases under the great seal, the Commissioners thought it reasonable, in regard of the extraordinary charge of passing the same, that so many particulars of lands as shall not exceed in all the yearly value of 30*l.* may pass and be joined in one lease, paying but one single fee. Also that so many particulars for personal estates as shall not exceed the yearly rent of 60*l.* may likewise pass, and be joined in one grant, if so desired, paying but one single fee as aforesaid; yet nevertheless the Commissioners recommend the settlement thereof to the Lord Keeper. [Copy. ¾ p.]

Dec. 2. 15. Thomas Alderne to Sec. Windebank. Fearing lest your
Hereford. intention in the prosecution of this business [of ship-money] might receive prejudice by reason of the late coming of your letter, which was not delivered to me, I thought fit in duty to signify so much to your Honour, before the 30th November last, and to return your letter; it being intended, as I conceive, for the late sheriff's further direction in that behalf, myself being but lately sworn for the execution of that office. [Seal with arms. ¾ p.]

Dec. 3. 16. "The Remonstrance and Supplication of the Noblemen and Commissioners of shires and boroughs, his Majesty's good subjects of the kingdom of Scotland." addressed to the King. [*This Remonstrance was voted by the Estates, convened for the occasion at Edinburgh, the 22nd of November this year, and sent by William Cunningham to be delivered to the King in London. This copy, which is Anglicized, is endorsed "December 3," probably the date of the delivery. It will be found printed at full in Balfour's Annals, ii., pp. 364-366. 2½ pp.*]

Dec. 3. Warrant for payment of 100*l.* per annum, with arrearages, to Sir Richard Wynne, for the use of the Queen, out of the moneys due to his Majesty by the farmers of post fines, or, in default thereof, out of the Exchequer, being part of the 1,200*l.* per ann. settled upon her Majesty in lieu of the greatest part of her Majesty's greenwax, and was to have been paid by Sir William Brouncker out of the issues of jurors, but which source of revenue now proves slow and uncertain. [Docquet.]

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Dec. 3. Warrant for payment of 500*l.* to Sir Francis Willoughby, to be by him disbursed in repairing the castle and citadel of Carlisle. [*Docquet.*]

Dec. 3. Warrant to pay to Francois Garnier, for the use of her daughter Fancois Civet and her children, as well the arrears of a pension of 300*l.* per annum granted by his Majesty in the fourth year of his reign, to Pierre Civet and Francois his wife, during their lives, as also such moneys as shall hereafter grow due upon that pension. [*Docquet.*]

Dec. 3. Warrant to Sir James Palmer, governor of his Majesty's works, for making hangings at Mortlake, to sell to the Earl of Holland five pieces of hangings of the story of the Apostles, heing of the second sort, for 886*l.* 17*s.* 6*d.*, the price his Majesty allowed for the same. The said sum to be employed towards making of other hangings, buying patterns for his Majesty's service, and for necessary repairs of the factory at Mortlake. [*Docquet.*]

Dec. 3. Petition of Edward Seymour to the King. Upon inquisition taken by the sheriff of co. Wilts, it is certified to be no prejudice to your Majesty or any others, if you should be pleased to grant to petitioner and his heirs to hold a market on Friday weekly, at the town of Maiden Bradley, in lieu of a market there anciently held on Monday; and also a fair yearly on St. Mark's Day there, with the tolls and profits thereof. Petitioner, by grant from your royal predecessors, has sundry liberties and privileges within the manor and parish of Maiden Bradley, which he and his antecessors have long enjoyed, as by several charters under the Great Seal may appear. Prays your Majesty to grant to him and his heirs the said market and fair, with the tolls and profits thereof, and to grant and confirm the said liberties, franchises, and privileges. *Underwritten*: Reference to the Attorney General, who is to consider of the petitioner's ancient privileges mentioned in this petition, and also of the fair and market, and to certify his Majesty his opinion of the whole business; whereupon he will signify his further pleasure. Whitehall, 3rd Dec. 1639. [*Copy. See Book of Petitions, Vol. cccviii. p. 125. 2/3 p.*]

Dec. 3. 17. John Viscount Savage to Sir John Heydon. I presume to
Sundon. importune you on behalf of Thomas Cheshire, a servant of mine, concerning the minister's place for Trinity Minories, now vacant, and at your disposal. What favour you shall show him therein, I shall acknowledge as done to myself, and be obliged to requite it in the like or any other way. [*Seal with arms. 2/4 p.*]

Dec. 3. 18. Sir Edward Savage to Sir John Heydon. Mr. Cheshire, the bearer hereof, was of Brazenose College in my time, and was held to be a very good scholar. Since that time he has approved himself an honest man, and painful in his vocation, and no doubt worthy of your favour, to whose nobleness I commend him, and leave him to your disposal. [*Seal with crest. 1 p.*]

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Dec. $\frac{3}{13}$.
Dunkirk.

19. Judges of the Admiralty of Dunkirk to [Sir John Pennington]. In answer to your letter of the 28 Nov., touching two Scotch barks bound for Havre de Grâce under English convoy, we are unable to make order upon the pretended restitution, without his Highness' resolution, upon receipt of which we will not fail to despatch the business. [*French.* 1 p.]

Dec. $\frac{3}{13}$.20. English translation of the above. [$\frac{1}{2}$ p.]Dec. 3.
Whitehall.

21. Order of the Commissioners for Depopulations. That the Attorney General should forthwith exhibit an information into the Court of Star Chamber against Alderman Soame, for his offences in depopulation and conversion of lands [from tillage] in Carlton-in-Lindrick, co. Nottingham, and the continuance of the same. Sergeant Boone and the rest of the Sub-committee for Depopulations are to attend Mr. Attorney, with such instructions as shall be requisite for preparing of the information, and to see the same prosecuted with effect. [$\frac{3}{4}$ p.]

Dec. 3.
Whitehall.

22. Certificate of Sir Dudley Carlton. Having made search in the register book of Council causes, about an appeal made by Clement Chevalier from a sentence given against him, the 17th Aug. last, by the Lieutenant, Bayliffe and jurats of the Isle of Jersey, in favour of John Nicolls, attorney there, I cannot find any such appeal, or ought else concerning Nicolls or his attorney, entered in the register. [$\frac{1}{2}$ p.]

Dec. 3.

23. Officers of the Ordnance to the Council. In answer to your order of the 26th November, we find that a musket of three feet and a half, weighing 10 lbs. and a quarter, or 11 lbs., is most useful for field service; and to hinder the recoiling we find no way but an abatement of the charge, which formerly was two thirds of the weight of the bullet, which we find to be too rude to take aim or be useful. The half weight of the bullet, which is half an ounce, a drachm, and a scruple, will be serviceable. The half ounce, abating the former fraction, will be yet more serviceable in the ease of the musketeer, and will do as much execution. Head pieces for musketeers are graceful in a parade, and may sometimes be useful, but the many inconveniences that accompany them induce us to reject them. [$1\frac{3}{4}$ p.]

Dec. 3.

24. Copy of the same. [1 p.]

Dec. 3.

25. Another copy, with an underwritten note touching bullets. [1 p.]

Dec. 3.

26. Account of what proportion of arms certain artificers undertake to make and bring into his Majesty's stores monthly, and at what rates, according to the several certificates under their hands, [see Nov. 30,] presented and read this day to the Lords. Totals, 1,200 muskets, 200 carbines, 120 pistols, 1,500 bandoleers first month, and 2,000 each month following, 400 long pikes, 500 musket rests,

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1,000 swords, 4,000 girdles, hangers, and belts, 100 tons of English match in 12 months, 50 or 60 tons of Flemish match, and 100 saddles. [2½ pp.]

[Dec. 3 ?] 27. Account of the charge for waggons, tumbrels, trace and harness for the train of the 24 pieces not contained in the grand proportion. Total, 723*l.* 6*s.* 8*d.* [½ p.]

Dec. 4. 28. Note of matters submitted to the Council, chiefly relating to the provision and manufacture of arms. [⅔ p.]

Dec. 4. 29. Sir Michael Ernly to Sec. Windebank. The 2nd December
Berwick. we had order for the payment of this garrison at the rate the King was pleased to pay the army, which was very welcome to all the officers; but I much wonder that any order which concerns the whole garrison should be directed only to Mr. Payler, our paymaster, without giving me any notice of it in the absence of the Lord Governor. I hear there will be commissioners appointed from Scotland, if the King please to give leave; if not, they brag they will dispose of business in the parliament as they shall think fit. I will never fail in the performance of what you have commanded me heretofore, or what I shall receive from you hereafter. [*Seal with arms.* 1 p.]

Dec. 4. 30. List of letters sent with the ship-money writs to the sheriffs of counties, to the Lord Mayor of London, the mayor of Bristol, and the Earl of Suffolk, lord warden of the Cinque Ports, in all 55 letters, with an underwritten receipt for the same by William Nicoll, clerk of the cheque. [⅔ p.]

Dec. 5. Petition of Richard Neville, your Majesty's servant, to the King. Petitioner about five years since became a suitor for a grant of such land at the rent of 12*d.* per acre as he by his prosecution should recover for your Majesty in certain wastes or commons of Uxator [Uttoxeter?] ward, one of the wards of the Chase of Needwood, in co. Stafford, and of other lands parcel of and adjoining to Colebrook ward, one of the wards of Duffield Forest or Chase, in co. Derby, your Majesty's right to them being concealed and almost lost, and your Majesty was pleased to signify your pleasure to Lord Newburgh, Chancellor of the Duchy [of Lancaster], for the granting of the same to petitioner. Petitioner has ever since prosecuted this service and recovered the land, but with very great costs of suit and extraordinary charges of settling and enclosing of the same, wherein by many riots and disorders he does yet daily receive much damage and many interruptions. The greater part of this land proves to be so barren, that at the rent of 12*d.* per acre petitioner's five years' labour and expenses in prosecuting this service, and the intention of your gracious bounty to him, will not be satisfied. In regard that the rent of these lands will be a new addition to your revenue, recovered solely at petitioner's charge, prays that your Majesty will refer the consideration thereof to the Chancellor of the Duchy

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to settle a reasonable and moderate abatement of rent. *Underwritten,*

- i. *Reference as prayed to Lord Newburgh, Chancellor of the Duchy of Lancaster, who is to order this business as he shall find fit. Whitehall, 5th Dec. 1639. [Copy. See Book of Petitions, Vol. cccviii., p. 123. 1 p.]*

Dec. 5.

Petition of John Drinkwater, Henry Seston, and others the kindred of William Man, late of Westminster, deceased, to the King. That William Man, aged about 80 years, died possessed of an estate of 16,000*l.*, and during his last illness was very weak in sense and memory. John Ingham (Man's kinsman and household servant), taking advantage thereby, procured a scrivener's man to draw a will, by which Man left Ingham his sole executor, who immediately upon the death got possession of the whole estate, but the following day fell mad, and so continued about 7 days, and then died. Shortly after, Ingham's wife, Dorothy, also died, leaving two small children, and William Antrobus, a mercer, as her executor, who thus obtained possession of the estate, the greatest part of which consists of college leases, which upon pain of forfeiture should have been renewed long since, and to that end the Dean and Chapter of Westminster have often called before them Antrobus, and required him to renew the leases in the children's names according to a sentence of the Court of Delegates, but he contemptuously refuses unless the leases may be renewed in his own name, intending thereby to defraud the orphans and convert the estate to his private use; thus frustrating petitioners' expectations in the event of the decease of the said children during their minority. Pray his Majesty to refer the hearing of the premises to such worthy personages as he shall think fit. *Underwritten,*

- i. *Reference to the Archbishop of Canterbury, the Lord Keeper, Lord Cottington, and Mr. Comptroller, who are to hear and determine the differences in such manner as they shall find fit for relief of petitioners. [Copy. See Book of Petitions, Vol. cccviii., p. 124. 1½ p.]*

Dec. 5.
Queen Street.

31. Thomas Smith to Sir John Pennington. You have so overcome me with your bounty, expressed in yours of the 2nd inst., that you leave me altogether destitute of condign gratitude, the sum being as much beyond my expression as desert, for though the gratuity from my Lord might seem (and that by your voluntary favour too) to direct you to some retribution, yet the other addition was altogether unexpected, I having done nothing for you, but what the duty of my place and the power of yours might have exacted from me. But, howsoever, what my ability prohibits me to deserve, my desires shall compel me to endeavour to requite upon all occasions within my power conducing to your service, though I must confess I have not been so successful as I could wish in that which I conceive you have reason to lament; but *speramus meliora*

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for the future, great persons must be tenderly dealt withal. The enclosed were delivered to me by Capt. Carteret and Mr. Quoytemor. Capt. Carteret's patent is now being drawn to execute the Comptroller's place. Sir Henry Palmer and he are agreed. Sir Henry has all the profit during his life, and Carteret after him. [1 p.]

Dec. 5. 32. Thomas Smith to Sir John Pennington. The Lord High
Queen Street. Admiral having been very earnestly entreated by Jeremy Heron, one of his Majesty's servants, for the release of Nathaniel Knight, a seaman in your ship, desires you to discharge him. [*Seal with arms.* $\frac{3}{4}$ p.]

Dec. 5. 33. Thomas Wise, late sheriff of Devon, to Nicholas. By a letter
Sydenham. from the Council of the 20th Oct. I was required either to make payment of the arrears of ship-money for 1637 by the 24th Nov. last, or else to attend the Lords at that time, the non-payment of which was, as I conceive, occasioned by the remissness of the head and petty constables in not executing the warrants which I procured from the late sheriff. If I may have another letter from the Lords directed to the present sheriff, to lend me his assistance, I shall not any longer rely upon the fair promises of the constables, who have delayed this service, in which letter, if it may be granted, I desire that there may be an expression how those who are now in arrearages, distrained or otherwise proceeded against according to the writ, may pay charges to officers collecting or executing the several warrants, the omission of which in the last letter has proved, as I believe, a great hindrance to this employment, and which, as I since understand by John Watts, had been in the former letter inserted, had it been then desired. It is also prayed that, as in the former, there may be order given for signing such rates as shall be by me tendered, whereby I may the better be enabled speedily to give satisfaction. If my attendance on the Lords may not be excused, I shall not fail upon the least notice from you to hasten to London. My friend and kinsman George Buller is desired to deliver this, and from time to time to speed any letters unto me. Endorsed by Nicholas, "This [the warrant] was sent." [1 p.]
Enclosed,

33. 1. *Account by Thomas Wise of ship-money payable by writs issued in 1637. The hundreds, names of persons, and amount assessed upon each are fully detailed. Nicholas has endorsed it, "Arrears: The Countess of Bath, 4l.; the present sheriff, Sir John Pole, 4l. 2s.; Sir Popham Southcote, 1l.; Lady Drake, in several places, 6l. 2s. Capt. Rawleigh Gilbert, 2l. 2s."* [35 pp.]

[Dec. 5?] 34. [Thomas Windebank to his father, Sec. Windebank.] Since my departure from London I have written only one letter to you of the 24th Nov., in which I gave you an account of my embarking that night in the Downs, but was unable, by reason of my extreme

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indisposition and disorder at sea, to set my hand to paper to advertise you of my landing. The weather, howsoever promising fair when I embarked, suddenly changed to extreme foul, so that I shall never again expect it constant, but to my persecution. I was 15 hours in my passage between the Downs and Boulogne, and in very great danger afterwards at my landing, for the King's ship not venturing to come within three leagues of the shore, by reason of the foul weather, a shallop came to fetch us off, and the storm increased so fast, that our boat was continually half full of water, notwithstanding every one was busied in baling it forth. I had not much amends made me by land, the weather being very wet and cold, but I thank God I am at last safely, and in very good health, arrived this night at Paris, from whence, notwithstanding I am infinitely wearied with my journey, I would not omit presenting my duty to you, my Lord Ambassador, whose hands I had the honour to kiss even now, giving me notice of the post's departing from hence to-morrow. I have delivered to his Lordship such letters as were put into my hands for him, but by reason of my weariness have as yet entered into little discourse with him touching my employment. When I shall have a further conference with his Lordship, I shall punctually observe those instructions you favoured me with at my departure. I have desired his Lordship to give me leave to repose myself a day or two before audience be demanded, which he condescends to; he has honoured me with a very noble reception, and I hope will continue his favour to me. My duty to my mother, with my best affection to my sister and brother. I most humbly desire your blessing. [*Draft.* 1 $\frac{3}{4}$ p.]

Dec. 5.

35. [Warrant] to Lord Chief Justice Bramston. There has been lately in some of the circuits of this kingdom indictments against ministers for refusing to administer the communion to such as will not come up to the rails to receive the same. It is his Majesty's pleasure that your Lordship, calling to you the rest of the judges, your brethren, advise with them, whether the refusal by a minister to administer the communion to such as will not come up to the rails set up in the chancels of churches by the communion table be an offence against any statute law, and to return your answers with all convenient speed. [*Draft.* $\frac{1}{2}$ p.]

Dec. 5.

36. Order made before the Queen's Council in a suit between Denmark House. Robert Huett, plaintiff, and William Manfield and others, defendants. That an injunction be awarded to restrain the defendants, and the rest of the tenants, freeholders and copyholders, within the Queen's honour and manor of Ampthill from going to several mills to grind their corn, and to require them to bring the same to her Majesty's customary mill, of which the plaintiff is farmer, until such time as they shall directly answer the plaintiff's bill, and this court shall take other order to the contrary. [*Certified copy.* 2 pp.]

[Dec. 6.]

37. The King to certain Lords of the Council who were absent on the occasion of voting the loan. The disorders in Scotland still

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continuing, and the Lords of the Council having been made acquainted by the Earl of Traquair, our commissioner, with the high and insolent carriage and demands of our rebellious subjects there, have unanimously advised us to reduce them to obedience by force, rather than to give way to their demands, so prejudicial to us in honour and safety. But because this is a public business and of great weight, and not to be undertaken but upon the public charge, we have made known to our Council our own desire to meet our people, and to demand their assistance in the ancient and ordinary way of a Parliament, which our Council unanimously approving, we have already declared that a parliament shall be called together to meet in April next. In the meantime, because it concerns us highly, and the safety of our kingdoms, that timely preparations be made for this great action, which cannot suffer the least delay, but requires a quick and vigorous supply of moneys for the present raising of forces, as well to secure us, as to make us the more able to enter into that action, and, by God's assistance, to overcome the difficulties of it, we have proposed to our said Council the present furnishing us with 300,000*l.* by way of loan, to be repaid, together with the interest, within two years next ensuing, for which we have given security by assignments out of our own revenues, which are very good and sure. Our Council therefore being fully satisfied with the said security and assignments, have every one of them severally declared unto us what sums they will bring in for this service. But yourself having not been present at these consultations, we have thought fit to make them known to you, that you being one of that body, and equally interested with them in the safety and preservation of our person, honour, and state, may join with them in this exigence to supply us with a considerable sum by way of loan, upon the like security and conditions of repayment as they have done, wherein we expect your present answer and conformity, according to the necessity and importance of this great service. [*Signed, but undated.* 1½ p.]

Dec. [6]. 38. Draft of the same in Sec. Windebank's handwriting. [1½ p.]

Dec. 6. 39. Bishop Potter, of Carlisle, to Sec. Windebank. As soon as I could receive an answer from the dean, I come to give you account of my care to see his Majesty's royal and religious commands performed, for the repairing of the cathedral church of Carlisle. As soon as I received your letter, I sent for the prebends,—we have but four in all,—and acquainted them with his Majesty's pleasure, making it plain to them, that if the reparation of the church should rest upon the remainder of the rents, when all other duties and officers' [fees] were discharged, there could nothing be done to any purpose in many years. Indeed the rents in divers years come short to discharge all claims, and therefore I entreated that out of the fines which they had received the last year, averaging almost 300*l.* to every prebend, and above 700*l.* to the dean, they would give something. Three of the prebends who were present promised 50*l.* apiece, if the dean would pay in proportion his part,

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which they rated to 200*l*. Hereupon I wrote to the dean and acquainted him with the prebends' offer. His answer to me was, that he conceived the meaning of his Majesty's letter to be, that the reparations of the church should rise only out of the rents and not from the fines, yet he would be content to give 100*l*. towards the present reparations. This will not please the prebends, because, they say, it is but a small proportion for the dean, the prebends having barely 20*l*. a year and the dean 120*l*. As for the fines, the dean has a third part, and the four prebends have the rest, and therefore the prebends fall back from their promise of 50*l*., unless the dean will pay in his proportion. Yet order is taken for providing some materials against the spring, but if the charge be laid only upon the rents little will be done, and if there be not something yearly reserved out of the fines, I am not like to live to see the church sufficiently repaired. As occasion shall serve, I shall be careful to give his Majesty a true account how his commands are obeyed. [*Seal with arms.* 1 p.]

Dec. 6.

40. Certificate of Thomas Jay. Forasmuch as I have received much favour at the hands of Sec. Windebank in mediating to the King's Majesty upon my several petitions and requests, and have never been able to make any tender of my thankful respects to him for the same; and for that he is yet again pleased to present my humble suit to his Majesty touching the registering of seamen's contracts for their hire and wages, which if I do obtain I desire his honour to admit me to bring unto him an account of the whole profits of the registrar's office at the end of the first year, together with my grant if any be made to me; out of which I do hereby oblige myself to assign what portion he shall please to nominate unto whom he shall appoint for such term as the same shall be granted unto me. [*Seal with arms.* 1 p.]

Dec. 6.

41. Certificate of the same, by which he promises to give Robert Read 100*l*. during such term as he shall obtain the office mentioned in the preceding. [*Seal with arms.* 1 p.]

Dec. 6.

42. Petition of Sarah Westwood, wife of Robert Westwood, feltmaker, to Archbishop Laud. Before petitioner's marriage with Westwood she was the wife of John Davys, also a feltmaker, who dying left her a house furnished with goods sufficient for her use and charged with one child and two apprentices, who for the residue of their terms could by their labours well have achieved sufficient for the maintenance of themselves and also of petitioner and her child. Details the lewd courses practised by Westwood and likewise his cruelty towards her and her child, who go daily in fear of their lives. Prays his Grace's reference for inquiry into the truth of her allegations, or otherwise to direct such course that her husband may be forced to alter his conduct and to allow her alimony. *Underwritten,*

42. I. Reference to Sir John Lambe to call before him the parties complained of, and to accord all differences if he can, or

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else take order for Robert Westwood to answer his misdemeanours in the High Commission Court. Dec. 6th, 1639.

42. II. *Memorandum signed by Sir John Lambe, appointing to hear the business on the 11th inst., in the afternoon, in the dining room of Doctors' Commons, when all parties concerned are to attend. Dec. 9th, 1639. [1 p.]*

Dec. 7. Grant of the office of constable of the castle of Gloucester to James Beck, gent., and to his sons Nicholas and Godfrey successively for their lives. This grant is to take effect upon the death of Henry Stringer, the younger, yet living, to whom the said office was granted by his late Majesty, or otherwise whensoever the place shall become void. [*Docquet.*]

Dec. 7. Grant of the office of one of the four Tellers of the Receipt of the Exchequer to Arthur Squibb, the younger, during his life in reversion upon the determination of the interest of any one of the four tellers now in being after Lawrence Squibb and Lawrence Sweetman, gent., who are the two first in reversion of the present officers, and is, upon surrender of letters patents for the said office, formerly granted to Robert Reade, gent. [*Docquet.*]

Dec. 7. 43. Philip Earl of Pembroke and Montgomery to Sir John Whitehall. Pennington. I find by one of your letters lately sent to me with the inventory that you have been mindful of us, and though the success answers not our wants, it does our expectation, for we are persuaded you have done your uttermost, and in that notion we owe you as much for this skiff as we could have done for the Admiral of Dunkirk. You see, as we have great reason, our hearty acknowledgments of your endeavours, which, though they can add nothing to your propensity in persisting to procure our further relief, will certainly stand in bar against our ingratitude. [$\frac{3}{4}$ p.]

Dec. 7. 44. Petition of Luke Skippon, clerk, to Archbishop Laud. Richard Downe, D.D., at his final sentence in the High Commission was ordered, amongst other things, to make a public submission in the parish church of Marwood, Devon, as touching his nonconformity practised and his erroneous doctrine delivered in the said church. And whereas Richard Downe now endeavours, contrary to the order aforesaid, to procure that his submission may be performed before the Bishop of Exeter in some other place, petitioner prays his Grace to enjoin the registrars of the said court that they give out no submission to be performed by Dr. Downe elsewhere than in Marwood church, and that it may be performed in the time of divine service on some Sunday or holyday, also that the submission be drawn in a complete form by direction of one of the Commissioners whom his Grace may think fit. *Underwritten,*

44. I. *Reference to Sir John Lambe to take care of the petitioner so far forth as it may stand with the justice and honour of the court. Dec. 7th, 1639. [1 p.]*

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Dec. 7. 45. Minute of the appearance of Robert Jason this day before the Council. He is to remain in custody of a messenger until discharged. [4 lines.]

Dec. 7. 46. Account of Sir William Russell of ship-money for 1637. Total received, 176,789*l.* 4*s.* 8*d.*; remaining, 19,625*l.* 3*s.* 0*d.* [1 p.]

Dec. 7. 47. Similar account for 1638. Total received, 51,735*l.* 14*s.* 11*d.*; remaining, 18,014*l.* 5*s.* 1*d.* [1 p.]

Dec. 7. 48. Account of ship-money for 1638, levied and remaining in the hands of the sheriffs. Total, 1,811*l.*, which makes the total levied and paid in all 53,546*l.* The arrears were as follows: for 1635, 4,536*l.*; 1636, 7,049*l.*; 1637, 19,105*l.*; 1638, 18,014*l.* [1 p.]

Dec. 8. 49. Petition of William Williams, merchant, to the Council. It has pleased God to send a great plenty of corn in England, and especially in Sussex, so that wheat is there only 24*s.* a quarter, and other grain equally cheap. In times of plenty and cheapness his Majesty's subjects have formerly had leave granted to them to transport some small quantities thereof. Prays warrant to transport from London and Newhaven 300 quarters of wheat, and 50 quarters of beans and the same of peas to the Canary Islands. *Underwritten,*

49. I. *Reference to the Justices of Peace for Middlesex and Sussex, to certify the present prices of the above-mentioned sorts of grain, whereupon the Lords will give further order. Whitehall, 8th December 1639. [1 p.] Endorsed,*

49. II. *Certificate signed by Thomas Parker and Edward Burton, two justices of peace for Sussex. The common price of wheat near Newhaven is 24*s.* a quarter, and the best peas 20*s.* a quarter or thereabouts. Dec. 16th, 1639. [6 lines.]*

Dec. 8. 50. Petition of Edward Bond, brewer, to the Council. By a former petition Bond showed his obedience to the Lords' orders, and how that Birket, a coppersmith, detains a copper worth 300*l.*, to petitioner's great damage. By order of the 4th inst. the Lords directed that Birket should, upon his peril and without further delay, deliver to petitioner his brewing vessels, or show good cause for detaining the same. Birket being served with the said order, sent petitioner word he would not deliver the same; neither has he attended the Board, as he was ordered, to show cause. Prays that Birket may be sent for to answer his contempt, and such order taken as to the Lords shall seem meet. *Underwritten,*

50. I. *The Lords have had satisfaction given them for the non-appearance of Birkhead [Birket,] by reason of his sickness and infirmity, and do find that George Humble, stationer, is chiefly concerned in this complaint of the petitioner. Ordered that Sir Edward Littleton, his Majesty's Attorney-General, shall take into consideration this difference, and, having regard to the former orders of the Board, settle such end between the parties as may best stand with equity and good conscience. Whitehall, 8th Dec. 1639. [1 p.]*

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Dec. 8.
Burderop.

51. Sir William Calley to Richard Harvey. I have sent you by the bearer Smith, the waggoner, a basket wherein are six collars of brawn and two doz. of hogs' puddings, half white and half black, which are for your master and mistress [Mr. and Mrs. Endymion Porter], to whom deliver as from my wife. Tell your master I do not write that I may not trouble him to answer. Complains of Mr. Morse's return to Burderop without bringing an answer to the writer's letter to Harvey. [*Seal with arms.* 1 p.]

Dec. 9.

The King to Thomas Viscount Wentworth, Lord Deputy of Ireland. We require you upon settling the conveyances from the trustees of the Countess of Carlisle to his Majesty of the yearly rent of 1,000*l.* half-yearly out of the customs, subsidies, and imposts of wines there, during the term of years unexpired, to cause 8,000*l.* to be paid to her or her trustees out of such treasure as you shall think fit; the said 8,000*l.* being part of 16,000*l.*, whereof 8,000*l.* has already been issued, heretofore agreed to be paid to her by his Majesty upon her surrender of the said term of years unexpired, which surrender, being as yet not enrolled, is now to be redelivered to be cancelled by the Countess. [*Docquet.*]

Dec. 9.

Grant of a protection to Sir Walter Roberts for one year. [*Docquet.*]

Dec. 9.

52. Sir Richard Harison to Sec. Windebank. I am very glad to see the good news of a parliament confirmed by your letter, of which I heard only a flying report before. Whensoever it is, I shall pray God to send such a blessing upon the same as may bring happiness both to the King and commonwealth. The rumour thereof is not yet so spread over the shire as that I can give you account who are like to appear as competitors in the business you write of. I shall shortly hear which way the country inclines, and accordingly give you such timely advertisement as I may. I wish nothing more than that I were able to satisfy your desire in joining with you, but my excuse is too justly known, for having parted with my means to my children, I am incapable of these public employments, and therefore must crave your pardon therein. Whatsoever is in my power you shall freely command me, and my care shall be truly to serve you with my best advice whether I conceive it fit for you to appear in the business without assurance of good success. My service and my wife's to you and your lady. [1 p.]

Dec. 9.
Whitehall.

Henry Earl of Holland to the officers of his Majesty's forest of Whittlewood, co. Northampton. I have been certified by Thomas Beale, lieutenant of the said forest, and Thomas Watson, steward of the same, that there is a certain wood of Sir Charles Shirley's, his Majesty's ward, called Peest Hay, containing about fourscore acres of underwood, lying in the parish of Wappenham within Whittlewood forest, and that the same being of 12 years' growth is very fit to be cut at this season, the county also standing in great need

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thereof. At the request of the Earl of Essex, who is of the committee of the said ward, we hereby license him to fell and enclose this present season the underwoods aforementioned, so that they be sufficiently mounded, fenced, and hedged, and kept according to the assize of the forests, for nine years after the date hereof, provided he leave sufficient trees for standels according to statute. [*Copy. See Vol. ccclxxxiv., p. 66, 1½ p.*]

Dec. 9.

53. Account of receipts and disbursements for affairs of the Fens. Total receipts, 1,069*l.* 17*s.* 8*d.*; disbursements, 1,054*l.* 12*s.* 8*d.*

Dec. 10.
Whitehall.

54. The King to the Lord Treasurer Juxon and Philip Earl of Pembroke and Montgomery, Lord Chamberlain of the Household, and Francis Lord Cottington, Under Treasurer of the Exchequer. In the tenth year of our reign we, with the advice of our Council, established several good orders for the well regulating of the offices of our Robes and Wardrobes, and having noticed that these orders have not been duly observed by some of our office and others according to our commandment, we therefore hereby signify our pleasure that the said orders be henceforth duly observed. And to the end that the same may be accordingly performed, we require you to take care that the transcript of this letter, with the orders thereto annexed, be set up in some public places in those offices, that so all our officers, and all such tradesmen as have relation to our said offices, may not pretend ignorance of their duties in this behalf, but carefully endeavour to accomplish our will herein, as they will answer the contrary at their perils. *Annexed,*

54. I. *Orders for the Wardrobes; set out in 11 Articles. The second Article provides that all wardrobe stuff for the King's children, ambassadors, &c., be provided from the Great Wardrobe on warrant from the King or Lord Chamberlain of the Household, to be granted on a bill of particulars signed by the clerk of the Wardrobes and by the officer requiring such provisions. [Copies. 7¾ pp.]*

Dec. 10.

55. Another copy of the preceding letter and orders. [*7½ pp.*]

Dec. 10.

56. The King to Patrick Lord Ettrick. By your two letters of the 19th and 25th Nov., you have given us account as well of the state of our castle at Edinburgh, and what is wanting for the necessary defence and preservation thereof, as of your care and resolution to keep it for us with the hazard of your life. For the former, as we shall be careful to cause you to be furnished with all things fit for that important service, so you must be confident we will not be wanting to take the other very nearly into our consideration for your advantage, and to value your fidelity as it deserves, especially at this time of so general a disobedience there. Concerning the particulars of your two letters, we have already in part instructed our Commissioner to acquaint you with our pleasure therein. Nevertheless, that you may have a more full understanding of our intentions, you are further to know that whereas in the

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first of these letters you seem to apprehend the want of water in the castle, and that we understand there are two wells there, one of which is not yet fully digged or fitted for use, our pleasure is that you take present order for the digging of that well, and for the making it serviceable; and besides, you shall do well to cause conserves for rain-water to be made in places most convenient. For munition, we will take order you shall be supplied with those quantities which you desire, namely, with three lasts of powder, three fats of match, demi-culverin, sacker, minion, falcon and falconet shot, of each one ton, and besides we think fit to send you 50 pikes. That which you have proposed for the conveying of these provisions to Leith has been taken into consideration, but it is rather advised that when this ammunition shall be arrived at Leith it shall be conveyed into the castle openly and avowedly by little quantities, which it is presumed may be as easily done, as you are now able to force those of Edinburgh to supply you with victuals or other necessaries. For the hundred soldiers which you desire, we are of opinion that such a number will be too little, and that you will do better to take 300, but you shall do well to advise and let us know whether you would have them English or Scots. If English, you must then consider how they may be safely conveyed into the castle, which we think may be ordered by an intelligence between yourself and the governor of Berwick, or if not by this means, then we expect you shall propose some other. If Scots, you must be sure to make choice of such as you may trust, and who will be faithful to our service, but these we doubt will hardly be found in these times. The sign which you desire to be used by the ship that shall come to Leith, by shooting off pieces of ordnance, whereby you may take notice within how many weeks you may expect relief in case of distress, shall be observed. That which you advise in your other letter concerning the building of the outmost works conformable to the works pricked both within and without the spur in your draught we like very well, and we leave the ordering of this and of the other works there mentioned in your letter wholly to your direction. But you must take special care that while these new works are in hand the old may be secured, and that between both you run not hazard of a surprisal, those of the town being vigilant to take all occasions of advantage. We doubt not of the continuance of your care and affections in this great service, which you shall find we will not forget. We shall not forget to cause you to be supplied and furnished in due time with such sums of money as shall be necessary for this service. [*Draft by Sec. Windebank.* 2½ pp.]

Dec. 10.
Hindon.

57. John Swift and thirty-four other inhabitants of the borough of Hindon, Wilts, to "your Lordship." Having received notice by some of our neighbours that the King has declared his intention to summon a parliament to treat of the urgent occasions of this kingdom, and we having no persons inhabiting our borough fit to discharge the offices of burgesses for our town of Hindon, we desire

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you to nominate two such persons as you shall think fit, and we shall most willingly choose them, when we shall receive direction from the sheriff to proceed to an election. [1 p.]

Dec. 10.

58. Petition of William Crane, clerk, to Archbishop Laud. Being curate of St. Peter's, Irthlingborough, co. Northampton, petitioner and George Draughton were questioned by Thomas Infield in the High Commission Court for a disturbance in the parish church, for which by order of that Court petitioner was suspended from his ministerial function. Is a very poor man, with wife and eight children, having no other means but his curacy for his and their maintenance. Prays his Grace to release him from his suspension. *Underwritten,*

58. I. *Reference to Sir John Lambe and Dr. Heath to consider of this petition, and give the Archbishop an account that further order may be taken. Dec. 10th, 1639. [1 p.]*

Dec. 10.
Berwick.

59. Sir Michael Ernly to Sec. Windebank. I am this day informed out of Scotland that the commander of artillery under Col. Hamilton has been here at Berwick, and, disguised in the habit of a country marketman, has taken an exact view of the works, walls, guards, and cannon, and has made his report accordingly. I am besides informed that if the King's answer does not give the Scots full satisfaction they will endeavour by all possible means the gaining of this town. The number of men here is not many to defend so large a place upon such an occasion, but I doubt not they will prove sufficient to resist any force the Scots can bring upon the sudden. If they have any intention here it must be by treachery, for I cannot distinguish the loyal subjects from the rebels, they are so neatly mingled. I thought good to acquaint you of what I am informed, and leave it to your consideration. I will not fail in all care and diligence on my part, according to the instructions I have always received from you. [*Endorsed by Windebank, "Answered 25, by Capt. Gifford. I have written again by post 26."* 1 p.]

Dec. 10.
Edinburgh.

60. Francis Steuart to Justice Shipart [Shepherd], Lincoln's Inn Fields, London. Apologizes for not writing. Fears he will not see Shepherd before the rising of "our" session. Here are the beginnings of the inevitable danger of the fearfulest days that ever Britain did see. God of his great mercy avert his deserved wrath from us, and grant our gracious King a sanctified and wise heart, that he may have grace truly to discern his faithful servants from the subverters of his Crown, *verbum sapienti sat est*, I dare say no more, let this rest with yourself. [1½ pp.]

Dec. 10.

61. Indenture of bargain and sale between Endymion Porter, of St. Martin's-in-the-Fields, London, of the one part, and Edmund Cripps, of Wandsworth, brewer, and John Blake, of Wandsworth, husbandman, of the other part, by which the latter become pur-

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chasers of all wood except timber trees growing upon the ground called Burnt Wood, Wandsworth, with power to remove the same within two years from Michaelmas last, at 3*l.* 4*s.* 0*d.* per acre. [*Signed by Cripps and Blake.* 1 p.]

Dec. 11. Grant of the office of comptroller of his Majesty's ships to Sir Henry Palmer and Capt. George Carteret, and the survivor of them, during his Majesty's pleasure, upon surrender of that office by Sir Henry Palmer, with such fees and allowances as were formerly due and belonging to the said office. To be paid quarterly by the treasurers of the navy for the time being, and in default thereof out of the Exchequer. [*Docquet.*]

Dec. 11. Warrant to the Exchequer for payment of 500*l.* to Capt. William Legg, by way of imprest upon account for repairing and perfecting of his Majesty's arms in his magazines of the Tower and Hull, which are very defective, and for payment of the wages of artificers to be employed therein. [*Docquet.*]

Dec. 11. Warrant to the Master and Council of the Court of Wards and Liveries to cause payment to be made out of the receipt there to Francis Lord Willoughby, James Fiennes, and Sir Christopher Wray, in satisfaction of the purchase of the manor or lordship of Wimbledon, and for the mansion house, park, and other lands there, the sum of 16,789*l.* without account, according to a contract made by the Lord Treasurer and others commissioners in that behalf. At the desire of your Majesty's dearest consort the queen. [*See Coll. Sign Manuals, Charles I., Vol. xiii., No. 107.*]

Dec. 11. Docquet of the same.

Dec. 11. 62. Sir Dudley Carleton to the Treasurers of the Navy. The Whitehall. Lords this day sitting in Council did request that you should certify whether Sir Anthony Irby, sheriff of co. Lincoln in 1637, Sir Robert Whitney, sheriff of co. Hereford in 1638, the sheriffs of cos. Montgomery and Carmarthen in 1638, or any of them, have paid any ship-money for the years of their sheriffalties since the 6th inst. *Underwritten,*

62. I. *Note signed by Sir William Russell to the effect that Sir Robert Whitney paid 610*l.* on the 10th inst., William Jones, sheriff of co. Carmarthen, paid 269*l.* on the 9th., and the other two had not paid any money since the 6th. 12th Dec. 1639.* [1 p.]

Dec. 11. 63. Brief particulars of the will and estate of John Kingston, freeman of London, deceased, drawn out for the information of Sir John Lambe in a suit in the Arches Court, brought by Simon Kingston and others against George and Ann Benion. John Kingston died at sea, leaving Frances his wife his executrix, who took her oath to execute his will, but before she got it under seal, being hindered by a caveat entered by Simon Kingston father of the deceased, died, possessed of part of his estate, as his widow,

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according to the custom of London, but a great part remained invested in the East India Company. The said Frances appointed her sister Ann, wife of George Benion, party in this suit, her executrix, and Sir Henry Martin then granted administration of the goods of John Kingston, with the will annexed, to her husband George Benion, who as administrator assigned the debts and commodities beyond the seas to Simon Kingston and the rest of the parties in this suit by letter of attorney, who refuse to accept of them and say they are desperate. Then follows an account of the debts and legacies already paid and money laid out in suits brought by Simon Kingston. [2 pp.]

Dec. 12.
Westminster.

64. Edward Nicholas to Sir John Pennington, aboard the Unicorn in the Downs. I believe you will hear before this can come to your hands his Majesty's resolution to call a parliament about the end of March or beginning of April next, whereof his Majesty made a public declaration this day sennight sitting in Council, and it is said that it hath been the Lord Deputy [Wentworth] who has persuaded the King to a parliament. I pray God it may succeed as well for the good of the kingdom, as the news of it is acceptable to all men in this kingdom. The writs for levying ship-money this next year are sent out, and shall proceed, notwithstanding the assembling of a parliament, which is much marvelled at by many discreet and well-affected men. The Lord Deputy goes over very shortly for Ireland, where it is said there shall also be a parliament held very speedily, but his lordship will be here again by the beginning of our parliament in England. The Scots have prorogued their parliament till June next, according to his Majesty's command sent to them. The Prince Elector is still held close [prisoner] in the Bois de Vincennes in France, unless the letters sent from his Majesty by Thomas Windebank have procured him more liberty. I cannot learn what is like to be the issue of our present treaty with the States' Ambassador, but some say it will be to good effect. Divers of our great Lords, Councillors, have declared to his Majesty that they will lend him large sums of money, viz., the Lord Deputy, 20,000*l.*; the Lord Keeper, 10,000*l.*; the Lord Privy Seal and Earl of Newcastle, 10,000*l.* apiece, and so divers others, to the value of 300,000*l.* in all. The writs for the parliament are preparing, and some think that Sergeant Glanville will be speaker. It will not be long after Christmas before we shall, as I hear, have a new Secretary of State in place of Sec. Coke, who is much decayed, and albeit I cannot commend him for anything, yet I wish we have not a worse in his room, for seldom comes the better. There is very much labouring by divers to be parliament men, but I think they will be happiest who are not of the House. The Earl of Kent is dead, and a clergyman is by descent Earl of Kent, with which honour there does descend to him only 500*l.* per annum. The Countess Dowager of Kent so much laments the death of her husband that Mr. Selden cannot comfort her. The Lord Chief Baron of Ireland is appointed to be Lord Chancellor of that kingdom. The Earl of

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Newcastle was sworn of the Privy Council this last week. I thank you very kindly for your news from Flanders, for I must owe to your friendship and kind correspondence all the intelligence and advertisements I have from foreign parts. I pray vouchsafe to believe that you never loved a man that sets a higher price on your friendship, or that can be more than I am heartily your faithful friend. [*Seal.* 1 $\frac{3}{4}$ pp.]

Dec. 12.
Queen Street.

65. Thomas Smith to Sir John Pennington. Gives a reason why his letter written on Thursday came no sooner to Pennington. The parliament holds, and the day appointed for the first session is the 13th April; but, between you and me, few men believe it, but think it will be put off from time to time. Howsoever, the King has declared to his Council that he wants money to provide a competent guard upon the frontiers of Scotland, and therefore has desired of them to borrow what they think fit to lend him, promising to repay the same with the first moneys [that] shall come to him from the parliament, whereof my Lord Deputy has promised 20,000*l.*, my Lord Chamberlain as much, the Earl of Newcastle 10,000*l.*; none of the rest have declared themselves, but most of them begin to provide, but few can get credit; for that nobleman who could before have what money he would, cannot upon this occasion procure the moiety of his desires, and you would admire to hear the various discourses occasioned by this loan. I beseech the Lord all things may do well, but I much fear it. Concerning your own affairs, Mr. Surveyor has moved my Lord [of Northumberland] that the warrant for your pay might be specified, in point of time, when to begin, and they (I not being by) agreed that it should continue to the time of the last fleet's coming in, and so brought me word, but I, considering that if it should be so, your Vice-Admiral should have advantage of you by some 12 or 14 days' pay, prevailed with my Lord that it should run on to the time of Sir [Henry] Mainwaring's paying off. I have got your warrant so signed, and will send it to Mr. Surveyor, who, as he tells me, has order to receive your pay, so that you see great men's minds may alter. As for your coming in, it is very true that you are victualled but to the 1st of March, and may come in at that time, unless any extraordinary occasion procures your revictualing. [Capt.] Carteret's patent is to be sealed to-morrow; he presents his very humble service to you. [2 pp.]

Dec. 12.

66. Receipted bill of Thomas Hickes, apothecary, for medicine supplied to Nicholas and his family, amounting to 5*l.* 4*s.* 0*d.*, "besides 2*s.* 6*d.* given to their box." [1 p.]

Dec. $\frac{1}{2}$ $\frac{2}{2}$.
Paris.

67. Christopher Windebank to his father, Sec. Windebank. Was much gratified by the coming of his brother [Thomas] to Paris on the business of the King of England. Through his brother's means he had received many marks of distinction. The season of Christmas approaching, wishes his father health to enjoy the festivities. [*Italian.* 1 p.]

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Dec. 13. The King to Lord Keeper Coventry. Requires him to execute speedily what he shall find fit to be done in a particular case of one Wright in a point of *Quare impedit*, when the matter be brought before him judicially, for the quiet settling of Wright in the rectory of Dennington, Suffolk, to which he is presented by his Majesty, and constantly to pursue the same in all other cases of like nature. [Docquet.]

Dec. 13. The same to Edward Morris, sheriff of co. Montgomery. License for him to remain at his dwelling-house in co. Denbigh, where his only habitation is, during the time of his sheriffalty. [Docquet.]

Dec. 13. Warrant to the Exchequer to pay to the Treasurers of the Navy, for building a new ship of war of about 500 tons, 5,098*l.* 18*s.* 0*d.* imprest upon account, in full of an estimate subscribed by the Lord Admiral and officers of the navy. [Docquet.]

[Dec. 13.] 68. Petition of John Reresby to the Council. There was an Order of Council for staying the felling of timber in Thriburgh Park, co. York, which Lionel Copley had bought, since which time there has been none felled, it being very good timber both for shipping and building, and has been so employed. Prays that he may have the same benefit that others, his Majesty's subjects, have, according to law, and that the Lords would grant their directions for felling and disposing of the same. [$\frac{3}{4}$ p.]

Dec. 13. 69. Petition of Sir Anthony Thomas, Samuel Thomas, William Bosvile, and others to the Council. Nehemiah Rawson has been divers times committed by the Board for his obstinate opposition to the law of sewers, and his wilful contempt of the several Orders of Council. He has also got out of prison several times, yet will not be conformable, but daily vexes petitioners and others with suits and otherwise to their great expense. The Lords lately directed their warrants for Rawson's apprehension, and he is now in custody of a messenger, yet will not enter his appearance or yield obedience, neither will he pay the messenger's fees, or give petitioners or their tenants any satisfaction for the great wrongs done by him, but gives out that he will have another *Habeas corpus*, so soon as he is committed by your Lordships, and be tried by *Magna Carta*, and will never yield, which evil example may prove very perilous in those parts where he lives. Prays order for Rawson's commitment, with a special direction to the Warden of the Fleet, that the prisoner may not go out until he shall yield obedience to the Board, and the Lords give special order for his delivery, so as he may be made conformable hereafter. *Underwritten*,

69. I. Reference to Thomas Meautys, Clerk of the Council, with the Clerk of the Council attendant, to call both parties before them, and certify the Board the true state of these differences, whereupon the Lords will give further direction
Whitehall, 13th Dec. 1639.

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Dec. 13.

70. Petition of Richard Hunt, Thomas Wingfield, Thomas Knight, and John Proud, aldermen of Shrewsbury, to the Council. By reason of the often divided government of the town, and for many other weighty considerations, Thomas Nicholls, then head bailiff, with petitioners and many more, petitioned his Majesty for the renewal of their charter, who referred the same to the Lords. Pray that their charges in the same may be referred to Sir Thomas Milward to examine and allow what shall appear necessarily disbursed. *Underwritten,*

70. I. *Reference to Sir Thomas Milward to have regard to this petition, and to do therein according to their Lordships' letter already sent, touching the reimbursement of charges in suing out the new charter of Shrewsbury. Whitehall, 13th Dec. 1639.*

Dec. 13.

71. Petition of the Spanish Merchants to the Council. For settling the business with the vintners, petitioners pray that the vintners may be ordered as follows. To make their medium within a month in an equal proportion what quantity of wines every vintner ought to take, and to enjoin them, upon certain penalties, to take them off as they are imported and filled up, according to their contract, and before they take any of strangers and others that have not subscribed to the duty and service, and herewith every vintner will buy his proportion in due time, to prevent the putting of bad wine upon him, the trouble of allotting, and the laying of wines in the streets, to the great scandal of government and authority, is also excused. And being thus settled, many more merchants will be encouraged to seal and subscribe to the service and duty, and the petitioners will undertake to persuade others to conform, to make up their number 40, that the vintners may have more room and choice to furnish themselves. The merchants also pray the Lords to declare whether the vintners shall take off the wines now remaining on their hands, or whether they may sell them to whom they can, without incurring the imputation of any breach of covenant. The observance of the Lords' orders in these particulars being enjoined with certain penalties, together with an order general to compel those vintners to make payment for their wines which have or shall refuse to do it, the occasion of further trouble to their Lordships ceaseth. *Underwritten,*

71. I. *Order that these propositions be showed to Alderman Abell and the farmers of 40s. per tun wine duty, who are to certify against the 18th inst. whether they shall think the same convenient for the service, together with the reasons of their opinion, whereupon they will order therein as to their wisdom shall seem fit. 13th December 1639. [1 p.]*

Dec. 13.

72. Sir Edmund Sawyer to Robert Read, secretary to Sec. Windbank. I was sent for yesterday by Lord Cottington to engage me for Mr. Secretary, who intends to stand for knight of the shire for Berks. I told his Lordship I would do nothing therein at his

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request, for Mr. Secretary had power to command all that I could do. I am somewhat troubled that Mr. Secretary should make any doubt of me, or what I can do in the country. If you had but told me he desired such a thing, it had been enough for me, for I have received so many favours from him, that I should be glad of any occasion wherein I might serve him. I cannot undertake much, but I hope by my Lord Craven's tenants and other my friends in the vale, either for fear or love, I shall be able to make some voices; what I can do his honour shall be sure of. I fear I shall not be so happy as to be there myself, unless my Lord of Suffolk's affairs be better settled than they are yet. The election is usually at Abingdon, and the men who dwell near there, and who come in the morning and go home at night, are those who usually carry the business. Our forest men are but a handful in respect of them, and many will make excuses in respect of the long journey and charge. There is near Abingdon my Lady of Banbury's tenants at Cholsey, and Alderman Pratt's tenants at Coleshill, who may do some service, and his honour may easily have them. Sir Robert Pye may do his Lordship some service with those about Farringdon. I cannot think of any like to stand, unless it be John Phetiplace [Fettyplace] or Mr. Martyn. When his honour finds who is likely to stand, the best way is to join with the strongest in voices, to have his voices, and he to have his honour's. I am suddenly going into the country, otherwise I would have waited upon his honour. Sir Richard Harrison and I will meet at Twyford before Christmas, and then we will consult of the best way to further the business. [*Seal with arms.* 1½ pp.]

Dec 13.

73. Petition of the Bailiffs, Aldermen, and Adventurers for Westmony, [Greenland] in the port of Great Yarmouth, to the Council. According to the late reference of the Board, petitioners have given notice to the farmers of the salt duties to attend the Lords this day. And whereas petitioners have this year yielded 100 lings demanded for compositions for the Westmony ships, which is double the quantity that any of the ships built in that port ever heretofore did pay, notwithstanding the ships are now generally less in burthen than in times past, when they had the benefit to fish in harbour, which privilege they are now deprived of. And for that by the ancient agreement for the said compositions it is well known to the Green Cloth that the ships paying composition lings were freed from all custom upon their salt for that voyage, and yet were then at liberty to provide and buy it where best and cheapest they might, a favour which the fishery generally enjoys in foreign parts, and therefore more considerable to be extended to this particular voyage, by reason of the many hardships depending upon it, which has already beaten off all foreign persons trading thither, as also all other natives of this kingdom, petitioners only excepted, and they of 23 sail within four or five years set forth in one season are decayed, and now but 13, and those without your favourable support to be extended are not like long to subsist. Pray for the encourage-

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ment of themselves and of all persons that may attempt the raising up of the said languishing voyage for the future, and a more hopeful assurance of competent quantities of ling obtainable only by means of this voyage, that they may enjoy the ancient agreement in the liberty of their salt, which to the ships now trading will not exceed 500 weighs per annum, or whensoever the trade shall further increase by a greater number of ships and salt, so the compositions will comparatively do the like, and for preventing all future disturbance about the salt and the said compositions, both for Westmony and Iceland, the same may be confirmed either by an order of the Board or in the counting-house of the Green Cloth. *Underwritten,*

73. 1. *The Lords require the Society of Salters [Saltmakers] of South and North Shields to see this petition and make answer to so much thereof as concerns them. Whitehall, 13th Dec. 1639. [1 p.]*

Dec. 14.
Burderop.

74. Sir William Calley to Richard Harvey. I had thought Sir Richard Parkhurst and Mr. Tichborne might have been outlawed long since, seeing they did not appear, and I doubt there has been some negligence in the prosecution. I wish myself oftentimes in London, to hear the news there stirring, for by what I hear from some friends, and conjecture by divers circumstances, there will follow great alterations in many places in divers respects ere it be long. God send all to turn for the best. [*Seal with arms. ½ p.*]

Dec. 14.
Burderop.

75. William Calley, jun., to the same. I pray present from my wife to Mr. Porter a small rundlet of metheglin [wine] sent by Thomas Smith. [*Seal with arms. 1 p.*]

Dec. 14.

76. Capt. William Batten to Sir John Pennington. I was yesterday with my Lord Admiral with the warrant for your salary, and told him you had a troublesome and chargeable time in the Downs, whilst the [Dutch and Spanish] fleets were there. His Lordship has given order that a new warrant be drawn, and you be allowed 40s. per diem till the St. Andrew and the last fleet was paid off. The like he has done by Sir Henry Mainwaring for 20s. per diem, being formerly paid for six months; so that as soon as I receive the warrant back, I will have a bill signed, receive the money, and wait your order for the disposal of it. I would entreat you to let Mr. White take a muster of all the ships under your command, and to send me up books signed by the captains and pursers to avoid further deceit, for of late Mr. Barlow has signed false tickets for 32*l.* 10*s.* 0*d.*, and the men are paid them, in the which Capt. Fielding's hand and his purser's were counterfeited, and myself for 12*l.*, Capt. Burleigh and his purser's hands counterfeited. The men who did this were Cole and Paradise, formerly employed in the King's service. We took and placed them in prison with three others, and the business was in the Attorney-General's hands, but they have given their keeper the slip and run away. I have sent enclosed a perfect list of the ships for next year, altered in some

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particulars from that I formerly gave you, in regard the Lord Marshal proceeds not, and the Convertive goes in the room of the Bonaventure. [*Seal with arms. 1 p.*]

Dec. 14.

77. Examination of John Maitland, *alias* Quashott, a native of Scotland, aged 42 years, taken before Sir John Lambe and others. Is a Roman Catholic, and so has been for these 30 years. Acknowledges that he preached two sermons in English at the Venetian ambassador's, namely, on the first Sunday in Advent last, and on Sunday last, being the 8th inst. Denies he has written any letter or letters to Paris these last seven years. The oath of allegiance being tendered to him, he desires time to consider of the same. Denies that he ever wrote against Father Francis's book touching conformity. [1 p.]

Dec. 14.

78. Account by Sir William Russell and Henry Vane, Treasurers of the Navy, of ship-money for 1638. Total received, 53,010*l.* 14*s.* 11*d.*; remaining, 16,739*l.* 5*s.* 1*d.* Memorandum: Received, 394*l.* 16*s.* 0*d.*, arrearages for the preceding year, since the last certificate.

Dec. 14.

79. Account of ship-money for 1638, levied and remaining in the hands of the sheriffs. Total, 1,110*l.*, which makes the total levied and paid in all, 54,120*l.* The state of arrears was as follows: for 1635, 4,536*l.*; 1636, 7,049*l.*; 1637, 18,711*l.*; 1638, 16,739*l.* [1 p.]

Dec. 16.

Commission to Capt. Henry Ashton and others, authorising them to repair to Barbadoes and other islands granted to the late Earl of Carlisle and his heirs by his Majesty, and to declare in the King's name upon the said islands that his Majesty did not intend, much less authorise, Capt. Henry Hawley to be governor or lieutenant-general of Barbadoes; and to charge Hawley and his deputy or agents upon their allegiance to yield up the government to Sergeant-Major Huncks, or such other as the now Earl of Carlisle shall appoint, and to make their personal repair into England, there to answer such matters as shall be objected against them, and that if he or they shall refuse so to do, then the commissioners named shall send them under arrest to England by the next convenient passage. [*Docquet.*]

Dec. 16.

Petition of William Polewheelee, Gentleman of the Privy Chamber, to the King. Petitioner is seised in fee of certain lands in Kirton, co. Lincoln, near adjoining to a waste there, called the 800 fen, and of common of pasture in the said waste lands. During the time petitioner was in attendance upon your Majesty in the North 49 acres of his lands were by your commissioners found to be surrounded grounds, whereas he and his ancestors have been in possession thereof or received rents for the same almost 100 years. Petitioner is very much hurt, not only in the loss of his land, but also of his common and accommodation, whereby the residue of his lands is much lessened in value. Being unwilling to dispute your Majesty's

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title and justice therein, he casts himself and his fortune at your feet, and will submit and abide your good pleasure. Prays the grant of a lease for three lives of 1,000 acres of the said waste grounds bordering on his lands, at such yearly rent as your commissioners for that revenue (the premises considered) shall find just. *Underwritten,*

1. *Reference to the Lord Treasurer and Lord Cottington, who are to certify his Majesty their opinions of petitioner's desires, whereupon he will signify his further pleasure. Whitehall, 16th Dec. 1639. [Copy. See Book of Petitions, Vol. cccviii., p. 130. 1 p.]*

Dec. 16.

80. Petition of Sir Arthur Terringham and Dame Maudlin, his wife, on the behalf of themselves and Nicholas Bagnall, his Majesty's now ward, to Archbishop Laud. Sir John Lambe, being attended, according to his Grace's order, by petitioners' counsel and Sir Thomas Holland's about the stay of the faculty lately granted to Sir Thomas for erecting an aisle adjoining the north side of the chancel of the church of Eskeiviog [Llanfihangel Ysceifiog]. It appeared that Sir Thomas Holland was not an inhabitant of that parish, but desired the faculty, with license to repair from his own parish to hear divine service there for his own ease and convenience. Petitioners and their ancestors, under whom they claim, have for a long time been the principal inhabitants, and of best estate and esteem in that parish, and therefore humbly beseech your Grace that if you shall please to grant Sir Thomas for his conveniency a faculty to erect an aisle you will order him to take away the two seats he has most inconveniently erected in the chancel near the communion table, as also not to build the aisle adjoining to any part of the chancel nor above petitioners' seats, the rather because Sir John Lambe was of the same opinion, and that your Grace will refer the choice of the place under the conditions aforesaid to the Bishop of Bangor, the chancellor of the diocese, or to whom else you shall please, and in the meantime to stay the erecting of the aisle. *Underwritten,*

80. 1. *Reference to Sir John Lambe to peruse this petition, and to write a letter in Archbishop Laud's name for the final settlement of this business in a just and reasonable way. Dec. 16th, 1639, [1 p.]*

Dec. 16.
Tower Street.

81. Commissioners for licensing the sale of Tobacco to the Council. Pray a warrant to one of the Council messengers to apprehend 68 persons, named, in divers counties of England and Wales, who refuse to appear upon the commissioners' summons. [1 p.]

Dec. 16.

82. The same to the same. Similar application for warrant to arrest 66 persons named in other counties. [1 p.]

Dec. 16.

83. List of defaulters, some of whom are the same as those named in the preceding entries. [1 p.]

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Dec. 16.
Whitehall.

84. Resolutions of the Committee of the Council for War. This day the gunsmiths undertook to make for his Majesty 1,600 muskets a month, besides carbines and pistols, and to this purpose have delivered a note under their hands. It was agreed that the gun-makers should receive for muskets already delivered after the rate of 18s. apiece, and out of that pay all fees; but for the future they were content to take 16s. 6d. apiece, clear of all fees. Resolved, that 15,000 muskets be forthwith put in hand, whereof 5,000 to be of the larger size, or four feet in the barrel, weight 14 lb., and 10,000 of the shorter, or 3½ feet, weight 12 lb. The Master of the Ordnance is to call before him all the officers of the Ordnance, and to cause a perfect certificate to be made what particular fees are taken by each officer and his clerk, deputy, or servant from such artificers and others as receive any moneys out of that office, and to send such particular certificate to this committee with all possible expedition. [1 p.]

Dec. 16.

85. Complaint by the Gunmakers to [the Committee of the Council of War] represent the number of men they have to wait upon before they receive their moneys, and the fees expected by the clerks of the Ordnance for the work done for his Majesty's store. [1 p.]

Dec. 16.

86. Certificate of John Watson and four other gunmakers that they can make monthly for his Majesty's service 1,600 muskets, besides carbines and pistols, provided they have ready money, and part of it in hand before they begin. [½ p.]

Dec. 16.

87. Estimate for the repairing, fitting, and completing of 700 horsemen's arms and 1,500 foot, which came from Hamburg, and for providing 517 harquebusiers, completely furnished for horse and man, as also of 32,513 foot arms, viz., 16,256 pikemen and 16,257 musketeers, being for the complete furnishing of 60,000 foot and 3,000 horse. Total, 65,564l. 4s. 0d. Memorandum.—The 16,257 muskets, according to the proportion of 1,600 a month, which the gunsmiths have certified they are able to furnish, will be made in ten months and nine days. The 16,256 corslets according to the proportion of 350 a month, which the armourers have certified they are able to make, will be made in 46 months and a half. [= 2 pp.]

Dec. 16.

88. Answer to the Tenth Article [in a suit in Chancery?] touching the rents of the bishopric of Ely in arrear at the installation of Bishop Wren. [*Endorsed by William Dell*: "My Lord of Ely, Bishop Wren's case concerning the nonpayment of rent and the days of re-entry." 1 p.]

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Dec. 17.

1. Certificate to the Council [by Lord Treasurer Juxon and Attorney-General Bankes], referees for adjusting differences between Capt. Butler and Mr. Lydsey touching the pin and wire business. Upon examination of the accompts in July last it was found that Mr. Halstead had furnished to James Lydsey 28,000*l.*, for satisfaction of which there were effects and debts to the value of 23,000*l.*, so that the uttermost the former could then pretend to out of that business was 5,000*l.*; and because they, the referees, were not well satisfied that all the money which Mr. Halstead had furnished to Lydsey was expended upon the business, they thought fit to allow Mr. Halstead only 3,000*l.*, to be paid by a yearly sixth part of the clear profits, leaving him to his remedy [at law] against Lydsey if he could make more appear to be due to him. Subsequently Mr. Halstead offered to quit his whole interest in that business for 4,000*l.* in hand, or 5,000*l.* to be paid in five years. Since which time there is a considerable advantage made by the business, which should rather have satisfied a part of that sum than increased the charge, so that the referees do not understand how Halstead's demand can now amount to 5,000*l.*, to which they intend making particular exceptions. Statement of particulars as found upon investigation. [7 *pp.*]

Dec. 17.

2. Capt. William Legge to Nicholas. I have called the Company of Armourers together, to know what number of horsemen's armour could be by them provided monthly, besides the proportion of foot arms already certified. They answer, that if they be obliged to bring into his Majesty's stores 700 foot arms monthly, according to their former certificate, they will not be able to make any horse arms, but if they only make horsemen's arms, they will furnish monthly 500 harquebuses or 50 cuirasses, but more the company will not undertake. I find some of the ablest among them loath to undertake or meddle in his Majesty's work, by reason that they had last year such excessive rates of the nobility and gentry for their arms, and now they would be free from the King's service where they have not such prices, in hope to find the like market they had before. To remedy this, if it were ordered that all the arms made in town should be brought into his Majesty's stores, and none sold but from thence, where the armourers should receive ready money as they brought in their work, I make no question we should have a greater proportion brought in than is yet undertaken, and whoever had occasion to buy arms may there furnish himself better, and at a cheaper rate, than the armourers do now exact; but this I leave to you, and will wait upon you to-morrow. [2 *pp.*]

Dec. 17.

Whitehall.

3. Thomas Best to Robert Reed. Pray deliver the 50*l.* received of my brother Atkinson to Mr. Church. *Underwritten,*

3. 1. *Receipt of Percy Church for 50*l.** [$\frac{1}{2}$ *p.*]

Dec. 18.

Grant of pardon to John Banckes, gent., for the manslaughter of Randall Nicholls, gent., with a release to him of all forfeiture of

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his goods and chattels, if any accrued to his Majesty by that fact. [Docquet.]

Dec. 18.

Grant of denization for Arnold Howskins, James Franken, Peter Van de Feeld, and Abraham Van Lingen, born in foreign parts, with a clause that they shall pay custom and subsidy as strangers do, and are in part of the number of 50 denizations granted by his Majesty to John Geddis and David Alexander. [Docquet.]

Dec. 18.

Grant of a prebend's place in the church of Windsor to Dr. Pocklington, void by the death of Dr. Sheafe, the last incumbent, and in his Majesty's gift *pleno jure*. [Docquet.]

Dec. 18.

4. Declaration of the Parliament of Scotland, with an underwritten note signed by Alexander Gibson, to the effect that this is a copy of the declaration read in the Outer House of Parliament this day, according whereunto the nobility nominated and appointed the Earls of Lothian and Dalhousie, the Lords Yester, Balmerino, Cranstoun, and Napier; the barons nominated the Commissioners of the three Lothians, Fife, and Tweed-dale; and the boroughs, the Commissioners of Edinburgh, Linlithgow, Stirling, Haddington, and Dunbar, to attend at Edinburgh the return of his Majesty's answer to their remonstrance. [Damaged by damp. 3 pp.]

Dec. 18.

Chester.

5. Robert Harvey, mayor of Chester, to Sir Thomas Smyth. Since we have credible information in our parts that there is a parliament to be held very speedily, and writs to come forth for the election of knights and burgesses, it is therefore high time for us of this city to take into our consideration who should be the burgess for our city to join with Mr. Recorder, and upon consideration had therein, we do all of us, as far as I can apprehend, much desire that you may be he, who we are confident doth truly love this city and the welfare thereof, as our experience of you doth truly testify; but not knowing how you stand affected to the place, I have thought fit to acquaint you of our desire, that understanding thereof we may know your mind therein as speedily as you can. My love and respect to your worthy self and lady. [Seal. $\frac{3}{4}$ p.]

Dec. 18.

6. Estimate by Capt. William Legge of the arms remaining in store in the Tower of London, together with the charge of repairing the same. [1 p.]

Dec. 18.

7. Estimate by the same of the charge to repair and complete the defective arms at Hull. Total, 1,156*l.* 4*s.* 6*d.* Underwritten by Sec. Windebank,

7. 1. *If this money may be impressed to Legge he will undertake the service shall be done by Candlemas.* [1 p.]

Dec. 18.

8. Receipt of William Littleton for 10*l.* paid by Nicholas on behalf of Sir Edward Littleton for a half year's annuity, due Michaelmas last. [$\frac{1}{4}$ p.]

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Dec. 18.

9. Receipt of Archibald and Ellen Makeller for 20*l.* by Sir John Heydon, in part payment of 33*l.* 6*s.* 8*d.* due to them in the office of Ordnance for half a year's annuity ended the 31st Dec. 1637. [$\frac{1}{2}$ p.]

Dec. 19.

Newcastle.

10. Yeldard Alvey, vicar, to Archbishop Laud. Our lecturer, Mr. Stephenson, lately left his place, upon a distaste and discontent which he took at some of our fiery zealots' harsh carriage towards him, and the mayor with the consent of some aldermen picked out a common council for the purpose, and presently proceeded to the election of a new lecturer, not so much as vouchsafing to consult and advise with me whether I would discharge the place myself, or admit of a lecturer for a coadjutor and assistant. Nay, though I had given intimation unto them that I was willing to supply the place myself and to put myself to double pains, only to prevent those mischiefs and inconveniences which had heretofore happened and may again arise in this corporation through the multiplicity of lecturers, if there be not a more wary care and heedful circumspection used in their admittance than formerly there hath been, yet notwithstanding, without taking the least notice of what I had intimated unto them, they concluded upon a lecturer, one Mr. Bewick, a townsman born, who is a near kinsman to our mayor and Dr. Jenison, merely to keep a faction on foot, and still to maintain opposition and siding in the town, as may more than probably be supposed; and this I dare avow, though the lecturer be never so regular a man himself, yet being of the clan, as they call it, and one of their own choosing, he shall be cried up for the only man, and made the head of a disorderly faction, while they who stand for order, and make it their study to promote the peace of the Church, shall be despised, undervalued, and contemned in comparison of their own creature. If I may freely impart what I conceive to be most conducive to the settling of peace in this town, and the best means for hindering the rise and growth of a faction amongst us again, which was reasonably well allayed for the present, till this unhappy occasion fell out of choosing a new lecturer, I cannot conceive any means so conducive thereunto as that there should be speedy and special order given that all curates or lecturers in other churches or chapels should turn their afternoon sermons into catechising, and that there should be but one afternoon sermon preached in the whole town, and that only at St. Nicholas, the chief church, either by me the vicar, or by some other able preacher, whom I shall think fit at convenient times to associate unto myself as assistant, they allowing the same stipend for that afternoon's sermon as they did to their former lecturer, or else to show a reason why they refuse to do it; for so long as catechising shall be discountenanced, and divers men shall be permitted to preach afternoon sermons in the several chapels of this town every Lord's day, and the statute shall be neglected of levying 1*s.* upon those who shall absent themselves from their parish church without a reasonable cause, there is no hope or probability, as I can yet see, that either the public service

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of the Church should be duly frequented, or that humorous spirits, who love to gad from one parish to another, as their fancies lead them, to affect the preacher, should be brought to an orderly uniformity, or to a liking of the Church's service and discipline. This I have made bold in a submissive way to give you notice of, who should know the humours and dispositions of the people as well as others, having lived amongst them above 17 years, and with an observant eye narrowly observing all their courses, which way they aim and tend. As yet I have not given the least assent to that which the mayor and some of the aldermen by order of common council decreed touching the election of Mr. Bewick, but have suspended my approbation thereof till I shall receive direction from you what to do in such an important business. The Lord daily multiply his blessings upon you, and make you every day more gracious than others in the eyes of our gracious sovereign. [2 pp.]

Dec. 19.
Richmond.

11. Jane Countess of Roxburgh to Sir Henry Vane. I heard you were troubled to read my hand the other day, so to prevent the like trouble I send this bearer to inform you of my desire, which I hope will not be found unreasonable. The youth I spoke for is well known to Mr. Holland and Mr. Hall, who I think will approve his fitness for the place, for he has served in the buttery these four or five years at least. He is willing to go the ordinary way of the house, and his suit is to be preferred before any other, and if at my desire he may find some little ease at his entry, I will take it for a great favour, and place it amongst the number of those already received. P.S.—The man's name I speak for is John Fleming. [*Seal with arms.* 1 p.]

Dec. 19.

12. Certificate that Edward Eldrington, an Englishman, and Terlough MacDonough, an Irishman, coming from Lisbon in the Unicorn, of London, were committed by the mayor of Gravesend for refusing to take the Oath of Allegiance. *Underwritten is the following list of letters and articles, perhaps found on the prisoners:* Letters, (1) to his Majesty, (2) to the Spanish ambassador, (3) to Don Pedro Marea in the ambassador's house, (4) to Don Pedro De Ments, (5) to Jacob Hurleo, (6) to Friar Gregory, (7) a torn letter, (8) to Thos. Birkley, an Englishman. Likewise two boxes with certain relics and crucifixes, and a paper containing two strings of beads. *In the endorsement the prisoners are designated Jesuits.* [$\frac{1}{2}$ p.]

Dec. 19.

13. Diary of the official proceedings of the Officers of the Ordnance from the 4th April last to this date. [36 pp.]

Dec. 20.

Presentation of Thomas South, clerk, M.A., to the rectory of Synterley, *alias* Blakeney, in the diocese of Norwich, void by death, and in his Majesty's gift *pro hac vice*, by reason of the minority of James Calthorpe, his Majesty's ward, or for want of suing out his livery. [*Docquet.*]

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14. Petition of Thomas Lord Wentworth to the Council. In answer to a petition of William Dudley. Petitioner is not the King's servant, nor does he claim any privilege on that account, as suggested. Having bought of Dudley, at hard and dear rates, divers parcels of cloth, petitioner entered into a bond, as in the annexed petition is mentioned. Although he has just cause to question Dudley in a court of equity for the said hard bargains, yet petitioner's father, the Earl of Cleveland, offered to pay Dudley the interest of the money before the end of the holidays, and 200*l.* of the principal next term, and the rest at a convenient time after, which Dudley refused. Prays that, since Dudley refuses to accept the Earl's offer, he may accept of petitioner's appearance to any suit to be commenced by him upon the said bond, and that petitioner may be left to his course in equity, to avoid the same if he can. [1 p.] *Annexed,*

14. I. *Petition of William Dudley to the Council. Lord Wentworth is justly indebted to petitioner, by an obligation dated 23rd Dec. 1635, in 400*l.*, conditioned for the payment of 218*l.* the 24th Dec. then next following, and by another obligation of the 30th March 1637 in 300*l.*, for the payment of 170*l.* the 1st October then next following. Petitioner having demanded the same, Lord Wentworth, being a gentleman of his Majesty's Privy Chamber extraordinary, and standing upon his privilege, neglects to give satisfaction, to petitioner's great prejudice. As petitioner has been a suitor to the Lord Chamberlain for relief herein, who seems to be unwilling to grant his request or to intermeddle in the business, prays leave to take the benefit of the law against his lordship for recovery of the debt. Underwritten,*

14. I. i. *The Lords require that this petition be showed to Lord Wentworth, who is directed to give satisfaction to petitioner, or else to present his answer to the Board on the 20th inst., showing reason why he omits so doing, that further order may be taken. Whitehall, 13th Dec. 1639. [1 p.]*

Dec. 20.

15. Petition of John Reston, keeper of his Majesty's prison at Dover, to the Council. By order of the Board, petitioner kept John Trender [Trendall], a very poor man, prisoner about 15 weeks, to his great charge, and, in accordance with another order, brought him before the Lords, by whom he is now committed to the Fleet. Petitioner not being yet satisfied, his expenses amounting to 12*l.*, which Trender [Trendall] is in nowise able to satisfy, prays the Lords' consideration and relief herein. *Underwritten,*

15. I. *Reference for petitioner to attend Sec. Windebank with his bill of charges, when the Lords will give warrant for*

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payment of the money. Whitehall, 20th Dec. 1639.
 [1 p.] *Annexed,*

15. II. *Bill of charges of John Reston above referred to. Total,*
 15*l.* 1*s.* [$\frac{3}{4}$ p.]

Dec. 20.
 Whitehall.

16. Order of Council. Upon information brought to the Board in July last, of a great riot committed in Uttoxeter ward [in the Forest of Needwood], co. Stafford, by pulling down and destroying the fences made by decree in the Duchy Court, with consent of the commoners for the enclosure of part of the said waste, letters were directed to the Justices of Assize and also to Sir Harry Bagot, Sir Edward Littleton, and Mr. Crompton, justices of peace, containing the Lords' directions for due inquiry and punishment to be made of the offenders, in such a way as might be both just and likewise exemplary to the whole county, and might best tend to his Majesty's reparation. The Lords, conceiving that there had been some unfit remissness in a case of this importance, ordered that letters be again directed to the said justices to use all care for preventing the like riotous attempts and disorders in future, as also that the Attorney-General should be hereby prayed to proceed in the Star Chamber against such of the rioters as he shall find cause, and likewise to take due care that a writ be issued out of the King's Bench for the repair of his Majesty's enclosures and fences aforesaid; lastly, that John Scattergood and George Carter, constables, complained of upon oath, by John Gregory, for their disobedience and neglect in not executing the warrants for the apprehension of the delinquents, be sent for in custody of one of the King's messengers, to answer their contempts herein at the Board. [*Seal.* 1 $\frac{3}{4}$ p.]

Dec. 20.

17. James Gibbes to Richard Harvey. I wonder you have not called upon me, your occasions lying daily this way, to give me an account of my business, which "*mi seignior*" [Endymion Porter] has left to your despatch. I desire you to make what speed you can, for my debts, since my coming to England, amount to over 50*l.* When these are settled, I intend to go either to Padua or Bologna to complete my studies in physic. I must confess to you that *mi seignior* was the special motive that kept me in this kingdom. [*Damaged by damp.* 1 p.]

Dec. 20.

18. Certificate of the Company of Gunmakers of London of the proportion of muskets which each undertakes to supply monthly at 16*s.* 6*d.* apiece, provided they receive ready money and are freed from the payment of certain charges. Total number of muskets, 1,600. It is also stated that there will shortly be in readiness 200 pairs of horse pistols and 150 carbines. *Endorsed by Nicholas,* "This to be entered after it shall be read and approved of." [1 p.]

Dec. 21.

Grant of the office of providing and serving all perfumes and sweets for the use of the King and Queen to Adrian Metcalfe for his life in reversion after George Sheires and John Wolfgang Rumler,

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with the several fees of 20 marks apiece as they now have. Also the office of apothecary in ordinary to his Majesty's household granted to Francis Metcalfe and Adrian Metcalfe successively for their lives in reversion after George Sheires, with the like fees and allowances as Sheires now enjoys. [*Docquet.*]

Dec. 21. Warrant to the Treasurer of the Chamber for payment of all bills for physical and odoriferous perfumes, sweet waters, and the like, for his Majesty's servants below stairs, to Adrian Metcalfe, his Majesty's apothecary, to begin from Michaelmas last, and to continue during pleasure, the said bills being first subscribed by one of his Majesty's physicians or the principal officers where those parcels were delivered, which employment George Sheires, his Majesty's apothecary, lately had. [*Docquet.*]

Dec. 21. 19. Certificate by Sir Wm. Russell and Henry Vane, Treasurers of the Navy, of the ship-money paid in by the mayors of Oakhampton, co. Devon, Walden, co. Essex, and Bath, co. Somerset, by virtue of writs issued in 1638, since the 14th inst., the date of their last certificate. Total, 68*l.* 10*s.* [$\frac{1}{2}$ *p.*]

Dec. 22. 20. Theophilus Earl of Suffolk to Sec. Windebank. At the Suffolk House. opening of the packet which I received this morning I find that there is a great suspicion that some Frenchmen who are stayed prisoners at Dover intend making false coin; therefore I hold it very fitting to acquaint you therewith, and withal to send you such letters, examinations, and other things as I received in the packet. [*Seal with crest and garter.* $\frac{3}{4}$ *p.*]

Dec. 23. Grant to John Malet of the benefit accruing to his Majesty by the outlawry of George Rogers, deceased, as well for satisfaction of the debts and damages owing by Rogers to Malet as for payment of the just debts, damages, and charges of suit due to the creditors of Rogers. With proviso that when Malet and the rest of the creditors shall be satisfied their debts, damages, and costs of suit, then Malet to account for and pay into the Exchequer one full moiety of the overplus. [*Docquet.*]

Dec 23. Warrant to the Exchequer to pay to Edmund Dobson, Rider of the Hobby Stable, to the Queen, in place of Henry Wood, deceased, an allowance of 50*l.* yearly for his diet, to begin from Michaelmas last, and to be paid quarterly during his service in that place. Provided that a former privy seal for payment of 50*l.* apiece yearly to Thomas Garland and the said Wood, for so much as shall concern Wood, be made void, save only for payment of his arrears due by virtue thereof at the time of his death. [*Docquet.*]

Dec. 23. 21. The King to the Judges of the King's Bench. For the better Westminster. settling of the jurisdiction of the High Court of Admiralty certain articles and orders were heretofore resolved on at our Council Board,

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and in our presence subscribed unto by all the judges of our courts at Westminster, the Judge of the Admiralty, and our then Attorney-General. Amongst which it is provided that if any be imprisoned, and upon *habeas corpus*, if any of the matters in the said articles be the cause of the imprisonment, and that be so certified, the party should be remanded. Yet, notwithstanding, we are informed that Francis Frogg, who was a prisoner in the custody of the Marshal of the Court of Admiralty, upon an action proper for the cognizance of that court, and so certified, and by you acknowledged to be within the said articles, being brought by *habeas corpus* into the King's Bench at Westminster, was by you taken out of the custody of the marshal, and is still detained, notwithstanding you have been moved to remand him according to the said order. We having thereupon taken due consideration of these articles and of the cause of Frogg's imprisonment in the Admiralty, do hereby declare that the taking of Frogg out of the custody of the marshal is expressly against the articles and orders aforesaid, which our express will is to have inviolably observed; therefore we command that Frogg be forthwith remanded to the Marshal of the Admiralty, and shall expect conformity both in that and in all other points of the said articles without further delay. [*Minute.* 1½ p.]

Dec. 23.
Auckland
Castle.

22. Bishop Morton, of Durham, to Sec. Windebank. According to his Majesty's command I have sent for Mr. Lapthorne to let him know that he is commanded not to preach any longer without his Majesty's special license. I know not what informations his Majesty may have against him, excepting such as are already brought within the cognizance of his Majesty's High Commission at Durham, whereunto he has made his answer negatively, and desired time for his legal defence, which I could not but allow, the rather to stop his clamour at this unseasonable time; for I cannot forget the time when he, being suspended by me in Litchfield diocese, did threaten me to my face to be even with me at Parliament. I cannot but pity his indiscretion, or else I should [not] greatly grieve to lose his ministry in these parts. Give me leave to thank you for your care in discharging my part to his Majesty. There have been divers informations against several persons you know within this diocese, which, for I am not insensible, must somewhat reflect upon myself. It is not now for me to say that some of them have been untrue, but I wish that I had been so much beholden to the informers as that they had acquainted me with any such crimes, that I might have expressed the duty of my place. I pray continue this your wonted favour, that I may understand from his Majesty the acceptance of my answers. [1 p.]

Dec. 23.

23. Acquittance of John Frend for 7*l.* 3*s.* 7*d.* received of Edward Nicholas, of which 5*l.* 10*s.* 0*d.* is for one quarter's schooling, due at Christmas, for Nicholas's daughter Susan, and the remainder for her washing and dress. [1 p.]

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Dec. 23. 24. Acquittance of James Huddleston for 4*l.* 15*s.* 4*d.* received of Edward Nicholas, of which 4*l.* 10*s.* 0*d.* is for one quarter's board and dancing of Nicholas's son Henry, and 5*s.* 4*d.* for shoes, &c. [1 p.]

Dec. [24]. 25. The King to the Vice-Provost and Fellows of Eton College. We understand that the place of Provost of Eton College is lately fallen void by the death of Sir Henry Wootton, and finding that our predecessors have usually had an especial eye to the government of that society, we have thought good to recommend to you Dr. Richard Steward, Clerk of our Closet Royal, to be forthwith chosen for the said place, and therefore we require you to elect the said doctor and admit him into that place. And to the intent there may be no impediment herein, in regard that Dr. Steward was never a member of the foundation, and so by your statutes may be liable to exception, we do dispense with all local statutes or anything whatsoever which shall be any way contrary to our commands. [*Draft amended by Sec. Windebank.* 1 p.]

Dec. 24. Docquet of the same.

Dec. 24. Discharge to Sir Job Harby and such other persons as were employed in Holland in 1636 and 1637 about the redeeming of his Majesty's jewels, formerly left in those parts for the sum of 84,804*l.*, imprested unto him for that service, the several disbursements whereof his Majesty has well approved, and of all further demands by his Majesty, his heirs or successors, touching that employment; and a warrant to the Exchequer for payment of 8,000*l.* by him disbursed over and above the said 84,804*l.*, and to give order for striking tallies for the same upon the collection of the impost upon wines received by Sir Abraham Dawes and Thomas Dawes on this present year, to end at Michaelmas next. [*Docquet.*]

Dec. 24. 26. Petition of Julian Fountnay, one of his Majesty's equerries, to the Council. In a former petition he showed how Sir Walter Titchborne, Sir Richard Titchborne, and Sir John Philpott were indebted to him by bond in the sum of 312*l.* principal debt, due these ten years, and that by reason of a protection royal which Sir Walter and Sir Richard have for many years had continued to them petitioner remains still unsatisfied. The Lords, by an order of the 4th inst., directed that the petition should be shown to Sir Richard, and he required to give present satisfaction. Petitioner being unable to show the petition to Sir Richard, who keeps out of the way, is again forced to fly to their Lordships for relief. Prays leave to take the benefit of the law against Sir Richard for recovery of his debt. *Underwritten,*

26. I. *Reference to Sec. Windebank to call before him the petitioner and Sir Richard, and to settle such order between them for the former's just satisfaction as he shall find fitting, or otherwise to report the true state of this business.* Whitehall, 24th December 1639. [1 p.]

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Dec. 24.
Christmas Eve,
Tinwell.

27. William Robinson to Nicholas. According to the command given us, we have examined the misdemeanours in the petition mentioned, which here enclosed I send with our certificate. Richard Woolfe would not appear, and indeed a proud, insolent fellow he is, who, having gathered some riches, and being of a most dogged nature, endeavours to insult all about him. And, surely, if he be made a little to know himself I shall for my part think it a good service both to God, the King, and the country about him, and so I leave him to you. My hearty respects to your good lady, for whose health I pray. I find her medicine good, and I thank God by little and little I recover more strength. P.S.—If you send for Woolfe by a pursuivant, it were good that [the saltpetreman Oswald] Pinckney had notice to come up with him. [Seal with arms. 1 p.] Enclosed,

27. I. *Petition of Oswald Pinckney to the Council.* Petitioner being employed in the service of making saltpetre at Stamford, co. Lincoln, has received affronts there to the hindrance of that service. Having to purchase 60 chaldrons of coals of Thomas King, the latter delivered short measure, and mixed the coals with dirt, saying "that if he must serve the King's Majesty with coals he should pay for it." Also George Salter, William Chamberlain, and Oliver Redsmith, constables, wilfully neglected the carriage of six loads of liquor, whereby petitioner was prevented from bringing in his proportion of saltpetre. When petitioner complained to Richard Woolfe, then Alderman of Stamford, for redress against some that had wilfully thrown down petitioner's tubs and spilt the liquor, he answered that he would not meddle in it, nor did it concern him, though they were thrown down every night; so that a few nights after the tubs were again thrown down. Mr. Woolfe likewise built a chamber dove-cote, contrary to the King's proclamation, to the utter destroying of that service. Prays that the Lords will take such course for the punishment of the said offenders and prevention of the like enormities hereafter as to them shall seem meet, so that petitioner may with more encouragement proceed in this service. [1 p.]

27. II. *Sir Guy Palmes and William Robinson to the Council.* According to your directions of the 24th Nov. last we gave notice to Mr. Pinckney to bring in his witnesses, and sent warrants to the rest mentioned in the petition to come before us at a certain time and place. Thomas King, George Salter, William Chamberlain, and Oliver Redsmith appeared, but we could not find the allegations in the petition so proved as to return them back to your Lordships as delinquents. We mediated, for example sake, that Salter in money, and King in coals, should give Pinckney satisfaction. Chamberlain and Redsmith, the

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constables, had not so neglected the service as to deserve punishment. Touching Richard Woolfe, Alderman of Stamford, mentioned in the petition, we are informed that, notwithstanding our warrant was showed to him, yet he did not appear, neither sent an excuse, but rode from home, pretending to go to London. We sent to view, and find that he has a chamber dovecote, as is mentioned in the petition. 1639, Dec. 1. [1 p.]

Dec. 24. 28. Attorney-General Bankes to Sir Dudley Carleton. I send
Gray's Inn. you Mr. Pettiward's examination, taken before the Solicitor-General and myself. He yesterday subscribed his hand to it, and I pray you acquaint the Lords with it. [$\frac{1}{4}$ p.]

Dec. 25. 29. Sec. Windebank to Bishop Morton, of Durham. His Majesty,
Drury Lane. finding cause to reinforce his garrison at Berwick, has commanded, that a present supply of 500 foot shall be immediately taken out of the trained bands of the bishopric of Durham and the county of Northumberland, and sent thither under the charge of Capt. Gifford, who has already the command of some forces in those northern parts under Sir Henry Vane, Treasurer of the Household. Of these 500 foot, 300 are to be levied in the bishopric, according to such directions as Mr. Treasurer has given to Capt. Gifford, who is to conduct them to Berwick, and your Lordship is to give him all possible assistance in this important service, as well for the raising of the men within the bishopric, as for expedition, the business requiring extraordinary diligence. The Earl of Northumberland has given order for the 200 men who are to be taken out of the trained bands of Northumberland, and therefore you are to make the more haste that they be all ready to march together. His Majesty has thought fit to make choice of the forces in the bishopric and in Northumberland, because they are nearest to Berwick, and may be sent thither with least charge and trouble in this winter season. [*Copy.* 1 p.]

Dec. 25. 30. Capt. Charles Floyd, or Lloyd, to Sec. Windebank. I have
Berwick. received your commands, and by the next post I hope to give you a full account. It shall be done with my utmost care and secrecy. I push forward the works as the time of the year will permit. I am now taking away the earth before the Cowgate, to make place for the bridge, and when that is done, because I will keep one passage clear, I intend to do the same to the Marygate and Newgate. I have set the masons to repair the ruined stone wall betwixt the castle and the bridge, to render it defensible in the event of a sudden assault. To defend the bridge I think it most fit to raise a wooden scaffold or gallery over the port for two murderers or small pieces of ordnance to scour the bridge with cartridges, and [to make a] place for a dozen musketeers. If there were any fear of a sudden attempt, I would alter my course, and cause a small breastwork to be made round the town to shelter the musketeers, and this to be done by commanded men without the King's charge. [*Margin by*

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Windebank. He must advise with Sir Michael Ernley, and both their joint advices must be sent, and certify the particulars whether a parapet or counterscarpe, and how it is to be done without the King's charge.] As for myself I desire you to favour me to the Council, for I have not received any money, but as a captain, since I came to town; besides I did the duty of major till Sir Michael Ernley came down. I refer myself wholly to your consideration. [*Margin by Windebank, "He has an engineer's place by Paperill's death."*] [1 p.]

Dec. 25.
Berwick.

31. Capt. George Payler to Sec. Windebank. I have been favoured with yours of the 19th inst., but account it my duty, without presumptuous expectation of correspondence, to render an account of what concerns his Majesty here, you having such alliance with these affairs. I have just now likewise received his Majesty's warrant for a further supply of 3,000*l.*, and thank you for your favour in procuring thereof, which shall be most carefully employed about the payment of his Majesty's forces and other emergent occasions. I have, according to instructions from the Lord Treasurer and Lord Cottington, advanced the pay of the commanders and officers in this garrison, according to the list of the army, from the day on which I received your directions, which was on the 18th Dec., and not from the 24th June, as was expected by those of the garrison, and since suggested by my Lord Governor; but conceiving I am not as yet warranted, do forbear. The works of fortification here upon the walls are continued with great force. Capt. Lloyd has altered the whole work formerly begun, and if favoured with a few days of seasonable weather, that proportion which was removed will be substantially finished. We have begun to set a drawbridge without the port called the Cowgate, and it is in good forwardness. The decayed wall abutting the river below the castle, on which are mounted five pieces of ordnance, is repaired according to command. The malignant fever with which the town has been long visited is now removed. My Lord Governor is not [yet come amongst] us, but all belonging to the garrison [and the residents] are careful to observe their duties. [*Damaged by damp. 1 p.*]

Dec. 25.
Berwick.

32. Sir Michael Ernley to Sec. Windebank. I received your letter of the 19th inst. I hear that the Scots have lately given some satisfaction to those officers who have waited upon their service. I had some conference with Mr. Cunningham as he passed by, and demanded of him what answer his Majesty had given to the petition I understood he went with. He told me he had not altogether so satisfactory an answer as the Lords did expect. I asked him what relation Lord Traquair had made to the King and the Council concerning the Scots' affairs. He told me he had made a very good relation for himself, but for nobody else. Capt. Floyd [Lloyd] has promised me to be very careful of what you have given him in charge. The works of this town have gone but slowly on, by reason we have had much rain here. [1 p.]

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Dec. 25.

33. Particular of the lands of Sir James Bagg, deceased, lying in Devon and Cornwall, extended to his Majesty's use the 4th and 8th October, 1638, for a debt of 22,500*l.* 15*s.* 5½*d.*, taken by inquisition at Exeter. [1 *p.*]

Dec. 26.

Whitehall.

34. Sec. Windebank to Sir Michael Ernley. Your letters of the 10th inst. came not to my hands till the 24th, which, considering the importance of the advice they brought, was a great disservice to his Majesty, the business requiring a quick resolution and an immediate and effectual execution. But it seems your letters came under my Lord of Lindsey's cover, and whether you conveyed them by post or by the ordinary I shall be glad to know, that inquiry may be made from whence this insufferable slowness in a business of such moment is grown, that so it may be punished and redressed. As soon as I had received your letters I acquainted his Majesty with them, who thereupon immediately gave order to the Lord Admiral and to Mr. Treasurer of the Household to cause 500 foot to be raised out of the trained bands in Northumberland and the bishopric of Durham, and to be sent forthwith to you under the command of Capt. Gifford, for reinforcing of the garrison in Berwick. The Lord Admiral has accordingly given order to his deputy lieutenants for the levying of 200 in Northumberland, and his Majesty has commanded me to signify his pleasure to the Bishop of Durham for 300 to be taken out of the trained bands within his jurisdiction, according to such directions as Mr. Treasurer has given to Capt. Gifford, who is purposely despatched into those parts to conduct them to you with all possible speed. There is likewise care taken for their pay at Newcastle, and therefore you shall do well to let your paymaster Payler know it, that he may either in person or by deputy take a course for receiving the moneys there or transmitting them to Berwick. Now that you have come to the knowledge of the spy that took so exact a survey of the works and munition of the town without being discovered, methinks it were no hard matter to find where he lodged, or what company he kept, it being impossible that, without some addresses or intelligence in the town, he could pass so freely and without discovery. You are therefore by his Majesty's command to use diligence in discovering where he made stay, or with whom he conversed or had any intelligence, and if you could come to the knowledge of any such particulars it might be of excellent use to his Majesty's service, and you might make a discovery of the faction in that town which holds intelligence with the Covenanters in Scotland, and so secure the town from treachery. Other means than this to distinguish those who are well affected from the rebels I do not find can be used, and therefore you must think upon it seriously, and set some discreet persons on work to make this discovery out of hand. For your care in all other things his Majesty doubts not of it, especially now you have this warning, which will make you the more vigilant to prevent an enemy that will omit no occasion of advantage. But I hope this reinforcement will come in time to secure you from

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this and all other dangers, and you must be confident you shall want no assistance from hence, which upon timely notice you shall desire for your security, the place under your charge being of such importance, as the safety of all those northern parts depends upon it. [*Endorsed by Windebank, "To Sir Michael Ernley by Capt. Gifford." Copy. 2 pp.*]

Dec. 26.
Drury Lane,
8 at night.

35. Sec. Windebank to Sir Michael Ernley. This morning Capt. Gifford was despatched toward your parts to take charge of the 300 men which his Majesty has appointed to be taken out of the trained bands in the bishopric of Durham, and to be forthwith put into Berwick for reinforcing the garrison. There are likewise 200 more to be raised out of the trained bands in Northumberland for the same service, for which the Lord Admiral has given order to his deputy lieutenants of that county, so that when this supply of 500 shall come to you, I hope you will be sufficiently strengthened against any attempt of the Covenanters. By Capt. Gifford I sent you a letter in answer to yours of the 10th inst., which were 14 days upon the way; and lest mine should not come to you with that diligence which the present exigence requires, his Majesty commanded me to second them with these, to let you know that, upon better consideration of yours of the 10th, he apprehends there may be some design upon Berwick, and therefore commands you to be the more vigilant and careful, especially to secure it from surprisal, whereof there is greatest danger, to which purpose you are to double the guards, and use such other means as yourself upon the place shall find most fit, until this reinforcement shall come to you. His Majesty is much dissatisfied that any whatsoever, though coming in a disguised habit, should be able to take an exact view of the works, walls, guards, and cannon there, without being discovered, and thinks it a great neglect of the guards, and of those that have the charge of watching those works, especially in these times, to suffer any stranger to come near them. This must be more carefully looked to hereafter, and his Majesty's pleasure is that you make inquiry how this carelessness grew, and who are guilty of it, that they may be made an example of, and the like mischief prevented for the time to come. And withal his Majesty expects that this shall awaken you the more, and make you the more strict in your government there, that reparation may be made for this great slackness, that place being of such importance to his Majesty's affairs, and the safety of this kingdom, that upon the preservation thereof depends the good of both. Your last letter came so slowly that you will do well hereafter to direct your packets only to me, and to post them away by subscribing your name upon the packet, dating it, and commanding post haste, that so I may find where any slackness shall be, and cause the posts offending to be punished. His Majesty's pleasure is further that you write oftener, and give me a weekly account at least of the state of your charge there, and you will find that I shall hold a straight correspondence with you, and make you speedy returns according to the occasion. [*Copy. 2 pp.*]

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Dec. 26.

36. Account by Richard Hollings of the recusants' revenue for the south. Total received from 1st May last to this date, 4,385*l.* 0*s.* 6*d.* Total paid, 3,369*l.* 12*s.* 0½*d.*, leaving 1,015*l.* 8*s.* 5½*d.* in hand. [1 p.]

Dec. 27.

Petition of Henry Lort to the King. Petitioner has been questioned in the Star Chamber for depopulations and conversion of arable lands into pasture. Having submitted himself to the Commissioners, they compounded with him for 2,500*l.*, of which 1,500*l.* is already paid into the Exchequer, and the rest is to be paid in June and December next. As sheriff of co. Pembroke, justice of the peace, deputy lieutenant and deputy custos rotulorum, petitioner has for many years been employed in the King's service, which he has performed with all faithfulness. Petitioner being now very old and infirm, and desiring to die in peace, prays your Majesty to pardon to him the depopulations and conversions with all offences wherewith he is charged by the said information, as also all errors, misprisions, and offences committed by him in the above-mentioned offices and employments (if any have been), with your general pardon according to that at your coronation. *Underwritten*, "Reference to the Attorney-General, who is to consider thereof and certify his Majesty his opinion, whereupon he will signify his further pleasure." Whitehall, 27th Dec. 1639. [*Copy. See Book of Petitions, Vol. cccviii., p. 136. 1 p.*]

Dec. 27.

37. Patrick Lord Ettrick to the King. I received your letters on the 25th, bearing date Whitehall, the 16th, and as my duty binds me, shall to my utmost power obey all your Majesty's commands therein signified. First, in answer to the particulars, the well on the backside of Edinburgh Castle shall with all speed be made fit to receive and preserve water, as also there shall be made what receivers possibly may be for rain-water. I had already dug pits in the rock, but the water they received has sunk into the earth. Your Majesty is pleased to let me understand your great care of this place and intent that it may be supplied with powder, match, shot for the ordnance, and also 50 pikes. I desire your Majesty to take into consideration that if I have a supply of 200 men, there will be wanting arms for them, for here are not muskets and bando-leers for above 120. Therefore I desire that I may be as well supplied in that particular as the rest. As soon as I received your letters I despatched a trusty servant to levy as many soldiers as he could at Aberdeen, and wrote to my Lord of Airley and the constable of Dundee to use their best endeavours to supply me in the same kind. My Lord Commissioner has been very ready to furnish me with moneys and what else he can, and is at this time going into the country to furnish me from thence with as many men as he can; but he much doubts his good success therein, and therefore bids me not rely very much on him in that particular, of all which his Majesty shall receive as speedy account as may be. But if your Majesty please to send your commands to the governor of Berwick to supply me with Englishmen, because they are more to be trusted, I think it convenient that they come not from thence

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in the habit of soldiers, and not above two or three in company, and they need to carry themselves discreetly and wisely by the way, lest they be intercepted. I beseech your Majesty to keep such correspondence with this people as may best stand with your good liking and royal dignity, until the castle be supplied, lest they forcibly hinder your intents therein, and I beseech your Majesty to consider that I dare not trust many of these 100 men I now have in time of service. Concerning the works, though the season of the year will somewhat hinder their going on, yet I shall proceed to effect what is most necessary, by the Lord Commissioner's help, in a very safe way. Lastly, I shall give good attendance to receive your Majesty's signal from Leith Road in calm weather. And now I shall be bold to beseech your Majesty, for your own honour's sake and the good of all your loyal subjects, that if your Majesty intends to levy an army again, you will not, for favour of any, admit of any commanders or officers, unless such as are soldiers sufficiently experienced to undergo their charge, for I have many times seen the unhappiness thereof myself. You shall from time to time have an account of all my proceedings here, and find that none shall be readier to show himself a more honest and faithful servant than myself. P.S.—Since writing the above, my Lord Commissioner has promised to furnish me with 60 pikes, 10 muskets, 10 halberds, and 10 soldiers. [*Seal with arms.* 1 p.]

Dec. 27.
Edinburgh
Castle.

38. Patrick Lord Ettrick to the King. Your Majesty, in your grant to me of the place of Constable of Edinburgh Castle, authorised me to appoint an [under] constable under me as was formerly under the Earl of Marr. Yet the obedience which is due from me to your Majesty will not permit me to presume to appoint any in a place of so great charge, unless I have first your approbation thereof. Yet I have thought it very fit to present to your favour a Gentleman of the Privy Chamber, Lieut.-Col. Scrimshire [Scrimgeour], son of your Majesty's constable of Dundee, whom I know to be very well qualified and no less experienced in the way of a soldier, and very fit, able, and willing to undertake that charge, and therefore I beseech you to accept of him for that place. [1 p.]

Dec. 27.
London House.

39. Lord Treasurer Juxon to the Farmers of the Great Customs, and the rest of the officers in the port of London. His Majesty having under his sign-manual signified his pleasure to me as follows: "We have heard the remonstrance of the masters and owners of ships against a clause in our late Privy Seal of the 2nd October last, that required bond to be taken of all ships that went out in ballast only, or little lading for payment of the composition by the masters where it was contracted for. And forasmuch as the said parties voluntarily obliged themselves to us not to do any act to the prejudice of the settled trade of Dunkirk and other parts of Flanders, the maintenance whereof they acknowledged very much concerned our service and profit, and that they would likewise do their best endeavour both to return with full lading, if they went out with ballast only, or little lading, as also as much

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as in them lieth to preserve the composition between France and Spain, being intended only on this side the mouth [of the straits of Gibraltar], we therefore, in favour of the masters, were pleased that the execution of the Privy Seal for one whole year should be suspended, in which time we will observe, and whereunto we require you to take all fitting means to advertise us how the masters of ships demean themselves, and whether according to their assurance they so manage this our grace unto them that they draw not their own advantage by the impairing of our revenue, and accordingly, as we find the effect, we shall then signify our further pleasure. These are to require you to take notice thereof, and to make the same known to all those ports where warrants for the execution of the former Privy Seal have been issued." And I desire you of London and all other ports to be very careful, and to take special notice of all such ships as go out with ballast only, both for their burthen, the stay they make abroad, and their relading on their return voyage, to the end I may be able to render his Majesty the account he expects from me. [*Copy. 1 p.*]

Dec. 27. 40. Archbishop Neile, of York, to Sec. Windebank. Your letters Bishopthorpe. of the 20th inst. came to my hands on the 22nd; upon the receipt whereof I presently sent to Newcastle to be informed by my chaplain, Mr. Alvey, vicar there, how Dr. Jenison behaved himself, and what suspicion or observation there was there of his having secret conventicles, or other meetings and conferences that might tend to his Majesty's disservice and nourishing of the faction there, that I might have some ground to work upon for his removing from thence. By the same messenger I wrote to the Bishop of Durham, enclosing a copy of your letter, and requesting that he would speak with Dr. Jenison, to advise him to avoid all occasions that might bring such suspicions upon him, and to persuade him to remove his dwelling. I have not yet heard from the bishop, neither is the messenger yet returned from Newcastle. I will be bold to inform you hereafter, as there shall be occasion, when I shall know how Dr. Jenison behaves himself, and what just cause he gives for those informations which are brought to his Majesty against him, for he continually professes conformity in all things to the laws, canons, and ceremonies of the Church of England, with dislike of the courses held by the rebellious Scots. I give you many thanks for your kindness and readiness in all my occasions, and particularly in my late petition which you vouchsafed to present to his Majesty, and obtained his reference. [*Seal with arms. 1 p.*]

Dec. 28. The King to the Sheriffs of London and Middlesex, requiring them to deliver up to Capt. Christopher Burgh the bodies of Henry Alden and six other prisoners in Newgate, convicted of felony and condemned to die, to be transported to the island of St. Christophers. [*Docquet.*]

Dec. 28. Warrant to the Exchequer for levying of tallies upon the Farmers of his Majesty's customs of French and Rhenish wines for payment

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of 5,500*l.*, being parcel of 10,000*l.* yearly payable to the Master of the Great Wardrobe, by way of advance, the same being due for the half year to begin at Lady Day next, and also to make allowance unto them for the interest thereof, after the rate of 8*l.* per cent. per annum, for so long time as the same shall be by them paid and advanced before the time of payment of their rent. [*Docquet.*]

Dec. 28.

Warrant for payment to the ferrymen of the several ferries of Fulham, Richmond, Hampton Court, and Shepperton, for ferrying the King and Queen and their train over the Thames for three years last past, the sum of 93*l.* 13*s.* 0*d.*, according to several bills subscribed by the Master of his Majesty's Horse and some of the equerries. [*Docquet.*]

Dec. 28.

41. The King to John Earl of Traquair. We have received information that one who has the command of the artillery under Alexander Hamilton in Scotland has been lately at Berwick, disguised in the habit of a country market man, and taken view of the works, walls, guards, and cannon there, and made report of the strength of the place to those of the Covenant in Scotland. Who the party was we do not certainly understand, but conjecture that he was Robert Hunter. Howsoever, by this act of high treason it plainly appears that those who employed him have a design to surprise the place, and so to invade us in this our kingdom of England. The business therefore being of so high a nature, our will is that you shall forthwith diligently inquire and inform yourself of the truth thereof, and if you find it true you shall then in our name demand the delinquent to be delivered up to justice. And because the fact was committed within our dominion of England, and is against our crown and dignity here, we hold it most fit and just, though he be our subject in Scotland, that he be sent to the place where he committed the offence. Therefore our pleasure is that you demand him and cause him to be delivered to the Deputy Governor of Berwick, to be proceeded with there according to justice and the laws of England. [*Draft by Sec. Windebank. 1 p.*]

Dec. 28.

42. Sec. Windebank to Bishop Morton, of Durham. By my letters to your lordship of the 25th inst., by Capt. Gifford, I signified his Majesty's pleasure to you for the present raising of 300 men out of the trained bands in the bishopric of Durham, to be conducted with all speed to Berwick by Capt. Gifford, and put into the garrison there, wherein though his Majesty doubts not of your readiness according to the importance of the service, yet notwithstanding, because it concerns his Majesty's affairs very highly to have that garrison reinforced with all possible expedition, his Majesty has commanded me to second those his former orders, and to require you to hasten the sending away of those 300 men, together with Capt. Gifford, the least delay being very dangerous at this time, and his Majesty's service may suffer irreparably if extraordinary diligence be not used. This his Majesty, in his care of those northern parts, which cannot be secure while Berwick is

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slenderly guarded, has thought fit to make known to you, that so the service may proceed with the greater celerity according to the present exigence, which you well considering, will I doubt not contribute what you are able to the advancement of this great and weighty business. [*Copy.* 1 p.]

Dec. 28.
7 at night,
Drury Lane.

43. Sec. Windebank to Sir Michael Ernley. Since my last to you of the 26th inst., his Majesty has been advertised from a very good hand in Scotland that they are now providing 800 ladders at Edinburgh, which must be for surprising and scaling of some place. This makes the suspicion the stronger, that your intelligence of the spy that came to Berwick and viewed the works and made report of the strength of the place to the Covenanters is true, and it is very probable that those ladders are for some attempt upon that place. His Majesty therefore, in his care of the preservation of so important a place, which if it should be surprised and be possessed by those rebels would train with it the most of those northern parts, and bring them under their command, besides the great dishonour to his Majesty and the whole nation, and the endangering of this whole kingdom, has commanded me to signify his pleasure to you, that you use extraordinary diligence in preventing this design and securing Berwick, either by doubling the watches, or by employing some out of the town towards Scotland to discover any attempt that may be made upon it, and give you timely notice of it. To which purpose you are to call to your assistance any forces that you shall think fit out of the country next adjoining, until the 500 men who are coming to you out of the trained bands of the bishopric and Northumberland shall be put into the town. His Majesty's further pleasure is that you carry a watchful eye upon the townsmen, who, if they hold intelligence with the Covenanters, as their disaffections to his Majesty's service give too much ground of suspicion they do, are likely to betray the town, and so become more dangerous than the enemy abroad. These things and any other which may conduce to the preservation of that place his Majesty recommends to your more than ordinary care, considering how you are beset with dangers within and without. If you can discover by whose direction or addresses the spy came into the town to view it, or what intelligence he had there, it will be a great service, and you must use diligence in it. P.S.—The Earl of Northumberland has order to give you power to call to your assistance the forces of the adjacent county, if there be cause, but lest that warrant should not come to you soon enough, you may make use of his Majesty's pleasure hereby signified to you. [*Copy.* 2 pp.]

Dec. 28.
Easton Maudit.

44. Sir Christopher Yelverton, sheriff of co. Northampton, to [Philip] Holman, [the late sheriff]. Having received letters from the Council to myself and the sheriffs who had the execution of his Majesty's writs issued in the years 1636, 1637, and 1638 directed [to them], which import an arrear in your hands of the ship-money upon the same writs, by you and them to be levied and paid in, as

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yet not paid in, whereby the Lords are pleased to authorise me, the present sheriff, to give warrants to you and them, or such ministers as you or they shall assign, either jointly or severally, for the collecting of the same, a true copy whereof I have herein sent you. If for the promoting of this service you shall nominate any person to be authorised by me, let me request you to send me a note undertaking for the honesty of the person to be so employed, so that I may be indemnified. [*Seal with arms.* 1 p.]

[Dec. 28.] Inventory of all such goods and implements of household stuff of Richard Catesby the elder, Esq., which were granted to Ursula Catesby by the deed hereunto annexed. *Annexed,*

1. *Inventory made 28th Dec. 1639 between Richard Catesby, senior, of Drury Lane, and Richard Wilbraham, of St. Botolph's without Aldersgate, on the one part, and Ursula Catesby, grandchild of the said Richard Catesby, William Eure, of Malton, co. York, and Sir Philip Tirwhit on the other part, touching the settlement of the property of the said Richard Catesby as above.* [See Case E, No. 13, two pieces of parchment.]

Dec. 29. Warrant to the Exchequer to pay to the Earls of Northumberland and Holland, unto whom the Queen has granted the keeping of the house, gardens, and little park of Nonsuch during their lives, if her Majesty and the Countess of Carlisle shall so long live, several sums, amounting to 26*l.* 13*s.* 4*d.*, as heretofore have been paid, and likewise to pay to them all such further sums as by bills subscribed by them shall appear to have been expended about the said house, garden, and park at any time since the 1st July 1636, at which time the Queen granted the keeping of the same to the said Earls, and to continue the payment of the like bills from time to time during the said grant. [*Docquet.*]

Dec. 29. 45. Bishop Hall, of Exeter, to Archbishop Laud, of Canterbury. I received your speedy and full answer to my last, and now, according to promise, present to you this work of mine, the bulk whereof swelled under my hand beyond my purpose, whilst I could think no passage of it unnecessary. I submit it to your free censure, not personal, for I could not be so weak as to think you could lose so much time in perusal of it, but deputative. The more judicious eyes pass upon it the better; whether for haste or delay, for impression or suppression, I am altogether indifferent. For my own judgment, I do not think it worthy or capable of the attestation of others, especially my betters, for that I do both take my rise from a particular occasion, and do often intersperse polemical dissertations, as with Parker, Anti-tilenus, Vedelius, and others, without which methought I could not satisfactorily clear those points, which passages I have no reason to think others should take upon them, either to own or justify. It was my second bold motion to you that divers select bishops and divines should shortly and fully

St. Thomas's
Day,
Exeter Palace.

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express their judgment on this subject; you thought fitter, to which I subscribed, that it should be done by one or two, and allowed and seconded by more. Such a discourse should be only positive and short. As for this, I suppose the judicious perusers will think it may be of good use to settle and prepare the minds of men towards an unanimity of judgment in this point, which perhaps may be otherwise varying. And if I may have leave to shoot my bolt, I should conceive, if an attestation to our just tenet be thought requisite from many and the best hands, it would sort best that the substance of it should be drawn up into some short and full propositions, such as the enclosed, and sent or tendered to them for their subscription, wherein I should hold a generality of expression the safest. I beseech you pardon this presumption of mine, and for this my labour, if it be found that it may be of any profitable use in these wayward times, let it fly abroad, otherwise it may this festival be employed in *thuris piperisve cucullos*; I shall be well content with either the light or the fire. You will soon find that I have been plain enough with our Genevians; for the foreign churches I have taken the same course with our learned Bishop Andrews, as pitying their alleged necessity, not approving their form, in the meantime not thinking it best to make enemies where we may have friends. I do justly find and show the Scottish case utterly unlike theirs, for our greater advantage. I have driven the point further than some worthy divines before me, and especially have laboured in that part where the cause bears most, viz., in matter of scripture and the next following antiquity. What it is, is wholly and absolutely at your disposing, to whatever purpose you shall think fit, and so with the appreciation of a happy new year to you and to this whole Church I take my leave. [Seal with arms. 2 pp.] *Enclosed,*

45. 1. *Propositions by Bishop Hall, concerning church government and the state of episcopacy, with additions and alterations by Archbishop Laud, who has added at the close of the 16 articles, "All which we declare to be the doctrine and judgment of the Church of England concerning this point of church government." Endorsed by Laud, These perhaps may be thought fit for a subscription of others. [2 pp.]*

Dec. 30.
Westminster
Palace.

46. Warrant under the privy seal, authorising the judges of the Court of Common Pleas at Westminster to admit Ann Relfe, an infant two years old, by her guardian, to levy a fine and suffer a recovery of the manors of Ashburnham, Willsham, and Pemborne, Sussex, as by counsel shall be advised, which his Majesty is pleased to do upon the petition of Ann Relfe, widow, the mother of the said infant, and Christopher Swale, D.D., the grandfather, John and Richard Relfe, uncles of the said infant, and next in reversion in case she want issue; and upon the petition of John Ashburnham, who is to purchase the said manor and lands, whereby they have informed

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that the debts left upon these lands by William Relfe, the father, are so great that they will hazard the ruin of the whole estate, unless by a timely sale of these lands the said debts may be paid. [*Unsigned. Parchment.*]

Dec. 30. Docquet of the same, but dated the 29th Dec.

Dec. 30. 47. List of the Council of War set down this day with the King's own hand. They are: 1. The Lord Treasurer. 2. The Lord Admiral. 3. Marquis Hamilton. 4. The Lord Deputy. 5. Mr. Treasurer. 6. Sec. Windebank. 7. Lord Conway. 8. Lord Cottington. 9. Sir Jacob Ashelie [Astley]. 10. Sir John Congiers [Conyers.] 11. Lord Newport. 12. Sir Nicholas Byron. Mr. Nicholas to attend this Council. Any five to sit. [1 p.]

Dec. 30. 48. Order of the King in Council. It was this day represented
Whitehall. by the Earl of Newport, Master General of the Ordnance, that there are some differences between his Lordship and the officers of the Ordnance, who transact divers services of themselves without his notice, and refuse to obey his warrants in some businesses, alleging that they do so by virtue of certain instructions which are given to that office for ordering of the affairs and service belonging to the same. It was ordered that the Master of the Ordnance should set down in writing all his particular exceptions either to the instructions or the officers, and thereupon his Majesty will take the same into consideration, and settle such order for the future as shall be thought fit. [$\frac{4}{6}$ p.]

Dec. 30. Order of the King in Council. His Majesty did this day declare that he had for his especial affairs and service appointed a Council of War, consisting of their lordships now present and some other lords and others who were absent [*see the penultimate entry*], and that he would establish the same by a particular commission under the great seal, and thereby give them such power and authority as had been given to former Councils of War. His Majesty did now, with the advice of the Lords, appoint that the said Council should meet every Thursday and Saturday, at 8 o'clock in the morning, in the Council Chamber at Whitehall, or oftener if there should be occasion. [*Written on the same paper as the preceding.* $\frac{2}{6}$ p.]

Dec. 30. Order of the King in Council. It was this day alleged by some of the officers of the Ordnance that the workmen gunmakers make muskets, carbines, and pistols at lower rates than the gunmakers contract for to furnish the King. It was ordered that the said officers should be required to send for and treat with the workmen gunmakers, and use their best endeavours to bring the prices of the aforesaid arms to as low a rate as may be, and to present the same in writing to this Board with all convenient expedition. [*Ibid.* $\frac{1}{3}$ p.]

Dec. 30. Order of the King in Council. The Master of the Ordnance is prayed forthwith to call to him all the officers of the Ordnance, and

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to cause them to set down in writing, under their hands, not only what particular fees are taken by each officer and his clerk, deputy, or servant from such artificers and others as receive any wages out of that office, but also what allowances are made by the office to each of the officers and their deputies and clerks respectively for travelling charges when employed about his Majesty's service, and to send such certificate to this Board with all expedition. [*Ibid.* $\frac{1}{2}$ p.]

Dec. 30. Minute to enter the warrants for a commission constituting this [see No. 47] Council of War, and for a privy seal for 300,000*l.* [*Ibid.* $\frac{1}{4}$ p.]

Dec. 30.
Edinburgh
Castle.

49. Patrick Lord Ettrick to the King. In my letter of the 27th I gave you to understand that I intended to proceed in some of the works, but since somewhat more perceiving the desperate resolutions of the people here, I hold it not fit to meddle with any place of strength, or trust the workmen, knowing them dishonest, or give any such advantage to the Covenanters. Thus much I have thought good to signify by the first occasion; but the well, notwithstanding, shall be digged, and the cisterns made to receive rain-water. My Lord of Earth [Errol?] has sent his son into the country to get as many men for your Majesty's service as he can, of which you shall have as speedy account as I can give, as also what supply I get from Aberdeen, my Lord of Airlie, or the Constable of Dundee. If I might get any Borderers who have not been Covenanters I think I may more safely trust them than any I shall get here. I am sure the Earl of Roxburgh will give your Majesty his best advice herein. For all that I can gather, the first hostile attempt the Covenanters make will be against this place, but if I am supplied according to your Majesty's letters of the 16th inst. I shall not fear their power, and you shall find that you have an honest and faithful servant here. I desire your Majesty to send your commands to the Governor of Berwick, according to my last letters, concerning which I have herewith written to the Lieutenant-Governor, desiring his advice for the private affecting thereof. Your Majesty's service shall never receive prejudice by anything that may be prevented by me. [*Seal with arms.* 1 p.]

Dec. 30.
Queen's
College.

50. Dr. Christopher Potter to Archbishop Laud. I have lately received your summons, for the first Friday in Lent next, before his Majesty. I was at it but in Lent last, and my health is so weak and wavering that I dare not fix my thoughts with any intention upon my study. And, besides, most of this next term I must be in London, to attend my great suit against Sir Thomas Coghill for my church. If these reasons may prevail with you to excuse me it would much comfort me; but I will ever readily submit all my desires, with myself, to your disposal. From Worcester I hear our citizens are highly displeased and neglect his Majesty's favour. For, though he granted all they expressed in their petition, viz., their sermon place at the west end and decent seats, and those higher

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than ours here at St. Mary's, yet he granted not (what he could not know) their secret desires, which they dared not to express, viz., their gay and lofty seats, which are denied to the bishop, the dean and chapter, as well as to them. And they intend, as I hear, to petition his Majesty for 80*l.* to be refunded by our church to them for so much laid out upon their seats, the ruins whereof remain with us. What we did was by command from authority. Their relics are not worth twopence to us, and they may make their best use of them for new seats if they please. Since they are so unmannerly and undutiful to his Majesty in this and in our choir service, which they still grossly neglect, his Majesty should do them and us a great courtesy to command them to that sermon place appointed by you, as of all others the fittest for them, us, and all. If once they were there fixed peremptorily, this murmuring would be quickly at an end, and there they might sit in more pomp (which is the main aim) than anywhere, as do their neighbours at Gloucester and Hereford; and if you think meet they may be gratified by permitting their lecturer Halseter, an honest, harmless man, as I hear, to preach there on Sundays after the evening service, no church in the city being able to receive their multitude; but in all I shall be directed by your pleasure. I thank you for your good intentions toward our Mr. Crosfield, a very honest and able man, whom I have ever loved; as also for your favour to poor Davis, of whom some of the senior fellows of Baliol College this morning give me this testimony, that he is very well studied in logic and philosophy; whatever be his success, he is ever most bound to you. The Lord Keeper's chaplain lately delivered to you a letter and petition from Mr. Lawson, desiring that the Attorney-General, by your mediation if you thought fit, might allow some small moneys toward the redeeming of an impropriation to the church and his Majesty. The poor man has no other interest in the business, but only the rescuing of that poor church and the satisfying of his wife's good desires, who had interest in it. Pardon this tedious letter. [*Endorsed by Laud as received on the 3rd Jan. 1639-40. Seal with arms. 2 pp.*]

Dec. 30.
The Court at
Whitehall.

51. Sec. Windebank to Sir Humphry Foster. The French ambassador has made a complaint to me, and desired me to represent it to his Majesty, that you have about 150*l.* in your hands belonging to Mrs. Erskin, which was designed for the levying of forces granted by his Majesty to the French ambassador, and to be raised for the service of the French King. He was very earnest and high in the complaint, and when I told him it was very just you should be heard first, he replied he would then address himself immediately to his Majesty, but I let him know that was altogether unnecessary, being confident that you, being a person of honour, would not fail, upon the first knowledge of it, to give him satisfaction, either by a fair answer or by restitution of the money, and therefore he should do much better to forbear troubling his Majesty in so inconsiderable a business, unless he should be driven to extremities. This is no

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more than I held myself obliged to in common civility to a gentleman of your quality. And, now I have made you acquainted with it, I beseech you to let me know what I shall further do in your service, and what answer I am to make to the French ambassador in case he shall further press me to represent it to his Majesty, which I shall expect at the return of the bearer, and according to which, being but a minister, I am to govern myself. If hitherto I have erred I crave your pardon, and desire to be rectified by your direction, to which and any your other commandments you shall find me ready to show that conformity that becomes me. [1 p.]

Dec. 30. 52. Examination of Robert Clee, servant to Mr. Torles, steward of Archbishop Laud. On Wednesday before Christmas Day he was on horseback in St. George's Fields with John Mills, who rode one of the archbishop's great horses, and there saw a mastiff dog run at and fasten upon the horse ridden by Mills, which greatly endangered both the rider and the horse; but who set the dog on he cannot say, but suspects it was Relffe, as he saw Relffe the younger standing near at the time. [1 p.]

Dec. 30. Examination of John Mills, confirmatory of the above statement. [*Written on the same paper as the preceding.* ½ p.]

Dec. 31. Pardon to Robert Snell, gent., of all errors, offences, and misdemeanours by him at any time before the 30th Oct. last committed as an attorney or practiser-at-law, or as a prothonotary or sheriff's clerk, and also of all offences wherewith he is charged by two bills of complaint exhibited against him in the Star Chamber by Edward West and Richard Fulcher for misdemeanours in the execution of the said several places, and also of all agency, solicitation, and employments thereabouts. [*Docquet.*]

Dec. 31. Warrant to the Exchequer and to the collectors of the impositions upon cambric, lawn, &c., commanding them, out of the moneys to be by them received upon their collections for 1640 and 1641, to pay to the Earl of Northumberland 5,000*l.* which he has lately lent to his Majesty, and for which tallies have been levied. If the collectors shall not in these years receive so much as will be sufficient to satisfy the same, then so much as shall be wanting to be refunded to them out of the first moneys they shall receive the year following. Also to pay to the Earl interest at eight per cent. per annum from the date of the tallies. [*Docquet.*]

Dec. 31. Warrant to pay to Richard Delamain, his Majesty's servant, for his charges in viewing and measuring parts of his Majesty's territories and some of his towns, castles, and fortifications in the north this last summer, for the space of five months, and for the charge of divers men to help him, also for carriage of his Majesty's mathematical instruments, the sum of 137*l.* without account. [*Docquet.*]

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Dec. 31. Presentation of William Ogstone, D.D., to the vicarage of Somerford Keynes, in the diocese of Salisbury, void by death, and in his Majesty's gift *pro hac vice* by reason of the minority of Mr. Strange, his Majesty's ward. [*Docquet.*]

Dec. 31. Petition of Henry Jermyn, your Majesty's servant, to the King. That the manor and lands of Sherborne, in co. York, being by particular of the yearly value of 77*l.* 19*s.* 7*d.* to the Crown were contracted (27 May, 3 Edw. VI.) to be sold to Richard Tyrrell and Ambrose Woolley in fee simple for 1,552*l.* 13*s.* 4*d.*, under stipulation that the parties named should procure a survey and certificate of the woods within a time limited, and be answerable to the Crown for the value thereof; also that his Majesty, upon accomplishing the age of 31 years, should retain the right of resumption upon repayment of such money as Tyrrell and Woolley had paid for the same. Tyrrell and Woolley procured an absolute grant from Edw. VI. (in his minority) of the said manor and lands, not pursuing the agreements mentioned in the precedent contract, nor did they cause any survey of the woods to be certified, neither was any payment made to the Crown for the same, or recognisance entered into for the reassuring of the manor and lands as was intended and agreed unto by the purchasers under their hands, whereby your Majesty has still right in equity to redeem the said manor and lands, as also to have satisfaction for the woods. Prays a grant of the benefit your Majesty may have by the contract aforesaid, as also of the manor and lands, the recovery whereof petitioner will endeavour at his own costs, desiring to hold the same of your Majesty by knight's service in capite. *Underwritten,*

1. *Reference to the Attorney-General to certify his opinion, and then his Majesty will declare his further pleasure. Oatlands, 31st July 1638. [Copy. See Book of Petitions, Vol. cccviii., p. 127. 2 pp.]*

Report of Attorney-General Banks to the King on the above petition. It appears to me by the certificate of the auditor of the county that the manor of Sherborne came to the Crown in the reign of Henry VIII. by exchange from the then Archbishop of York, the annual rent being 86*l.* 6*s.* 4½*d.*, and that Ambrose Woolley and Richard Tirrell, in 3 Edw. VI., compounded to purchase the same at 20 years, under conditions similar to those stated in the petition. An information is exhibited in the Exchequer upon the equity of the cause for redeeming the said manor, and to have satisfaction for the woods and timbers at the petitioner's prosecution and charge, and if the same shall be recovered for your Majesty I conceive petitioner capable of your grace and favour for his service and expense therein. 28th Feb. 1638-9. *Underwritten,*

1. *His Majesty is pleased that the Attorney-General shall prepare a grant of the lands above mentioned to such persons as the petitioner shall nominate and their heirs, reserving*

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such rents, tenures, and services as were anciently reserved.
Whitehall, 31st Dec. 1639. [Copy. See Book of Petitions,
Vol. cccciiii., p. 128. 2 pp.]

Dec. 31. Petition of Sir Richard Weston, of Sutton, co. Surrey, to the King. Upon a petition of Sir Henry Guildford, Sir Thomas Glenham, Francis Plowden, and Edmond Windham against petitioner, touching the soap business, a reference was made by your Majesty to the Archbishop of Canterbury and the Lord Keeper, and upon the hearing in respect of the complex nature of the inquiry petitioner's counsel desired that the matter might be left to a court of justice, which was granted. After which reference, petitioner finding that he had just cause in equity to be relieved against Sir Henry Guildford and the others, exhibited a bill in the Exchequer against them all, about the 20th May last, and nine days after Francis Plowden and Edmond Windham exhibited their several bills in the Chancery against petitioner, and Sir Henry Guildford proceeded upon an old bill formerly dismissed, while Sir Thomas Glenham exhibited another bill this term, unto all which bills petitioner has already answered, and Francis Plowden and the others pleaded the former reference of your Majesty and the certificate of the Lords referees to petitioner's bill in the Exchequer, and upon hearing their plea the last term the barons ordered that Sir Henry Guildford and the others should answer petitioner's bill in that court. Whereupon the persons above named in June last exhibited another petition to your Majesty, suggesting that petitioner had exhibited his bill in the Exchequer contrary to his submission, and obtained a second reference to the Lords referees, who thereupon certified that they thought fit that this cause should be prosecuted in Chancery and nowhere else, by colour whereof the parties above named endeavour to stay petitioner's suit in the Exchequer and refuse to answer. Petitioner having the privilege to sue in the Court of Exchequer, and the barons having over-ruled their plea and ordered that the defendants should answer petitioner's bill there, prays that as he has answered defendants' bills in the Chancery according to their election, so they may likewise answer petitioner's bill in the Exchequer, which is but that privilege which the law gives him, unless he be restrained by your Majesty's commands. *Underwritten,*

1. *His Majesty is pleased to declare that he holds fit that petitioner should be left at liberty to proceed legally in the Exchequer, and that Sir Henry Guildford and the other parties concerned may answer to his bill there, in like manner as petitioner has answered to theirs in the Chancery; and that all parties concerned may proceed in the several courts as is proper for their respective advantage. Whitehall, 31st Dec. 1639. [Copy. See Book of Petitions, Vol. cccciiii., p. 128. p.]*

Dec. 31. 53. Sec. Windebank to Thomas Earl of Arundel and Surrey, the Earl Marshal. His Majesty has commanded me to acquaint you

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that because the timely declaring of a general of such forces as his Majesty intends to employ this year will be of great consideration and moment to his service, and his Majesty observing of late that you, by reason of your often indispositions, have become less able than in former times to undergo so great and painful a charge, has thereupon made choice of the Earl of Northumberland to be general of his army to be set out this year. And further, I am commanded to let you know that, for the better ordering of these great affairs, his Majesty has appointed a Council of War, of which his Majesty has not yet named you, not knowing whether you will be able to give that constant and frequent attendance which so important a business requires. Besides that, his Majesty having, for the reason aforesaid, named another general, cannot tell whether you will be contented to sit there or no. This his Majesty in favour to you has expressly commanded me to signify to you, not doubting but that, howsoever you shall dispose of yourself, you will contribute what you may to this extraordinary service, both in the quality of an eminent councillor and Earl Marshal of England, and according to the interest which in both these capacities you have in the state and in the public government. [Draft. 1 p.]

Dec. 31.
Berwick.

54. Sir Michael Ernly to Sec. Windebank. I received your two letters of the 26th December. That mine of the 10th came not timely to your hands was a great neglect of some postmaster. I sent by the post that goes weekly from hence. Concerning the spy I then gave your honour notice of, I was certainly informed by General Riven [Lord Ettrick] that such a man was here to that purpose, which I thought very fit to acquaint you with. I made as much inquiry to find out the truth as possibly I could, but could discover nothing, which made me less confident that there was any such man, though it may be there was. I assure you that I keep as strict watch as if they [the covenanters] were always ready to fall upon us. Whatsoever you have given me in charge I will perform with all diligence to the uttermost of my power. I understand you have thought fit to send 500 men more hither, which number, with those we have here, if any power the Scots can bring do beat us out, we deserve to be all hanged, and when the town is better fortified a less number will be able to defend it. I am informed by a skipper who was at Leith about eight days since, that he saw divers chests of arms newly come thither. I demanded how he knew they were arms; he told me that the nails of some of the chests being loose he saw muskets, bandoleers, and pistols. I hear the Lords are to meet this week, concerning the answer that Mr. Cunningham has brought from his Majesty. We can by no means get the favour of the townsmen. I have ever used them with all the civility in the world, and have always severely punished any soldier who has any way wronged any of them, but all will not prevail. I have lately been somewhat more stubborn, which I find agree somewhat better with their constitutions. I have given Mr. Payler order to take care that Capt. Gifford be provided for at Newcastle. Capt. Floyd is now

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out of town to perform what you gave him order for in your last letter. I must inform you that it is hardly possible, as the case now stands, to keep anything we do in the town from their knowledge, by reason of the multitude of those that pass this way. They all pretend to be good subjects, and many of them to be his Majesty's servants. I give order that no man comes in at the gate but he is brought to me, and I have charged all the town that they lodge no stranger without giving me notice of it. [*Seal (broken) with arms. 2 pp.*]

Dec. 55. Articles of agreement between the overseers of Thomas Whetenhall's will on the one part, and Abraham Molyne, clerk, M.A., and the inhabitants of the parish of St. Swithin's, London Stone, on the other part, touching the appointment of Molyne as lecturer for the said parish. [*Written on parchment, but unsigned.*]

Dec. 56. Petition of Maximilian Messervy, of the Isle of Jersey, to the Council. Petitioner, who holds the mill called Pontarin in fee-farm from his Majesty, for which he pays a great rent, summoned to the court Amice de Carteret, to the end he should demolish a certain mill lately erected contrary to law and the use and custom of that Isle, to petitioner's great prejudice, and to the disadvantage of all the other mills adjacent, likewise held from the Crown. Some of the jurats intending to favour Carteret, ordered that petitioner should sue Carteret in the Court of Heritage, which has tended only to protract the suit, thereby to molest and defraud petitioner. Therefore he appealed from that sentence to the Council, seeking relief, and accordingly summoned Carteret to appear before the Lords within 40 days after warning given, as appears under the hand of the provost there. Petitioner has waited here [in London] until after the expiration of the 40 days, but no one has appeared for Carteret, who apparently intends to molest petitioner by needless expenses or to let the suit fall. Prays the Lords to address their letters to the bailiff and jurats of Jersey, giving them authority to call Carteret before them, and cause him to demolish the newly-erected mill, unless he can show good right and lawful authority for the building of the same; also that petitioner may be allowed reasonable costs and charges, having ventured his life to cross the seas this winter season, and lying here [in London] at great expenses to attend the Council. [1 p.] *Annexed,*

56. I. *Certificate by Maximilian Messervy that he caused the requisite notice to be served on Amice de Carteret for his appearance before the Council by John Stille, the King's provost. 10th Dec. 1639. [$\frac{2}{3}$ p.]*

56. II. *Copy of notice served on Amice de Carteret to appear before the King and Council, with John Stille's certificate of the delivery of the same. 28th Oct. 1639. [French. $\frac{2}{3}$ p.]*

Dec. 57. Petition of the same to the same. After narrating the substance of the above petition, Messervy states that the Lords on

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the 26th December addressed their letters to the bailiff and jurats of Jersey to summon Carteret the second time to appear and attend the said cause. Since which letters Carteret has been made lieutenant-bailiff and judge in the Isle of Jersey, by means whereof petitioner cannot have the benefit of the letters, Carteret alleging that he being judge is unable to leave the Isle, with the object of protracting the suit by needless expenses, which, if not prevented speedily, would turn to petitioner's utter ruin. Prays the Lords' letters to some indifferent jurats of Jersey, who with the aid of his Majesty's procurator and advocate may be empowered to call Carteret before them, and to examine petitioner's reasons and complaints; and in case Carteret can show no right for erecting the mill he may be required to demolish it, which if he refuse to do, then to report the true state of the cause to the Lords, and besides to allow petitioner such costs and charges as shall be by them found he has unjustly sustained. [1 p.]

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1. Petition of the four esquires of the body in ordinary to the King. It appears by many ancient books in the household and divers records in the College of Arms that your progenitors have not only had four esquires in ordinary, whom they have made officers of the household, but have dignified their place with many honourable privileges, both in peace and war, as by constituting them captains of the watch, and so trusting the safety of their persons and the peace of the court by night to their care and vigilance; by honouring them with the like trust in war for the arming and unarming of the sovereign's person, to whom they were to be near upon all occasions in the battle; and by committing to their charge the care of seeing the King's bed made in the royal pavilion. Our suit is, that however we be inferior to some of our predecessors in fortune, yet since we are equal to the best in our faith and loyal zeal to do your Majesty service, and do enjoy many privileges of our place by your favour and goodness, which our predecessors did in times of peace, that in the camp and field your Majesty would grant us all or so many of those honours and employments as to your princely wisdom shall seem expedient, that your gracious favours herein may appear to posterity, and that we may testify our gratitude not only by our readiness to pour out our most zealous and hearty prayers, but also our hearts' bloods for the defence of your sacred person and royal authority. [$\frac{2}{3}$ p.]

2. Petition of George Earl of Rutland to the King. Whereas petitioner having the custody, herbage, and pannage of Bestwood Park, co. Notts, during life, by grant of James I., your Majesty commanded that the conies in the park should be destroyed to make the ground more safe for you to hunt there, it is conceived that

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your grant under seal is requisite in that case. Though the conies be destroyed, their burrows are so numerous that the ground will remain dangerous unless it may be ploughed up and sown with some grain for five years, to begin at Michaelmas next, which will prove no prejudice, but rather a benefit to the deer, and make the ground much the better many years after. Prays license to destroy the conies and plough up the ground for the term of five years. [$\frac{2}{3}$ p.]

3. The King to the Officers of the Exchequer. Whereas Humphrey Colles and William Wingfield, gentlemen, are to pay into the Exchequer 2,263*l.* 11*s.* 11*d.* for the purchase of the manors of Drayton Bassett, and Stony Delph in cos. Stafford and Warwick, which are to be passed to them and their heirs in fee-farm at the yearly rent of 80*l.* 16*s.* 10 $\frac{1}{4}$ *d.*, as parcel of a value of lands of 1,035*l.* 14*s.* 3*d.* intended to be granted to Henry Earl of Holland: And whereas it is his Majesty's intention that the whole benefit of the moneys so to be raised by sale of lands to the value of 1,035*l.* 14*s.* 3*d.* per annum, and to be paid into the Exchequer, shall be solely for the benefit and use of the said Earl in satisfaction of 29,000*l.* owing to him by his Majesty, the same to be taken without accompt, imprest, or any other charge: These are therefore to require you to strike a tally of assignment purporting the receipt of the above-mentioned sum of 2,263*l.* 11*s.* 11*d.*, and to cause the same to be endorsed for, and delivered to the Earl of Holland. [*Draft.* 1 $\frac{1}{2}$ p.]

4. The King to the Treasurer and Under Treasurer of the Exchequer, and to the Chancellor of the Duchy of Lancaster. According to our letters of the 19th March last, directed to you, we have received the certificate of your opinion upon the propositions and reasons given you by some of the Queen's counsel, that if we shall be pleased that a sum of money may be raised out of her jointure for her present supply, that the same may be best done and with least prejudice to her present estate and to our future interest by ascertaining the fines of the copyholders of inheritance within the honours and manors by us granted in jointure to her. It is our pleasure that a considerable sum of money shall be so raised, for the expediting whereof we require you to give directions to the Attorney-General and Attorney of the Duchy of Lancaster for the preparing and issuing of such commissions as shall be desired by the Queen's counsel and be thought fit by you for compounding with the tenants and others interested in any of the copyholds of inheritance forming parcel of her Majesty's jointure, about their fines and the ascertaining of the same, and reducing of such fines from being arbitrary to certain, for such sums of money and considerations to be paid to the receiver of the Queen's revenues as by the commissioners to be named shall be determined; and also you are to give such orders and warrants to the Queen's counsel and to the commissioners from time to time as shall be expedient for their preparing and effecting the premises. After such compositions shall

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have been made you are to give warrants to the Attorney-General and the Attorney for the Duchy for preparing such grants, [confirmations, and letters patent for assuring of such compositions and fines as shall be so agreed upon by the commissioners respectively, and for passing such decrees in the Exchequer, &c. *Endorsed*: "Mr. Ball's draft of the Privy Seal for the commissions for ascertaining the fines of copyholders, &c." [Draft. $1\frac{1}{3}$ p.]

5. The Queen to Sir Richard Wynne, her Treasurer and Receiver-General. Warrant to pay to Thomas Jermyn, one of the grooms of the bedchamber to Prince Charles, 2,000*l.* out of the moneys to be raised by the demising or sale of Blandsby Park, and if it should not yield so much, then the residue to be paid out of such moneys as should accrue to her Majesty by the disafforestation of the forest of Pickering, and forest or chase of Knaresborough in co. York, in fulfilment of a former grant made by her Majesty. [Copy. 1 p.]

6. Francis Lord Cottington to Sir Henry Croke, Clerk of the Pipe, or his deputy. These are to require you to send me, fair written on parchment under your hand, a perfect particular of the hundred of Broxton, co. Cheshire, certifying me withal what you think fit to be considered in granting the same by lease. [$\frac{1}{2}$ p.]

7. Warrant to the Attorney-General to prepare a bill for his Majesty's signature, containing a grant of certain lands in fee-farm at the nomination of William Hinton to Francis Braddocke and Benedict Clement and their heirs. [Minute. $\frac{1}{2}$ p.]

8. Application of Richard Moore, being tenant to the Queen of a farm called Paynes Farm, and of certain houses standing upon grounds called Bargroves in St. Neots, co. Hunts, which were very much decayed before they came into his hands, for 12 timber trees to be taken within the said manor for repair of the same, according to the custom of that manor. [$\frac{2}{3}$ p.]

9. An information in the Duchy Court being preferred against Sir Ralph Hansby for committing of great waste and felling of timber in your Majesty's woods; the writer prays a grant of the fine and damages to be awarded to your Majesty if Hansby be sentenced. [$\frac{1}{2}$ p.]

10. Information against John Lascoe for destroying the game about Croydon, co. Surrey, and taking hares in Haling Wood. [$\frac{1}{2}$ p.]

11. Certificate of the participants in the 14,000 acres decreed to Robert Earl of Lindsey for the draining of certain fens and surrounded grounds lying between the rivers Glen and Kyme Eau in co. Lincoln, that they have authorised Robert Long to treat with Lady Dymoke for the composing of the differences between her, the Earl, and "us his participants" concerning satisfaction to be rendered to her ladyship. Subscribed by Sir William Killigrew only. [$\frac{1}{3}$ p.]

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12. Table specifying the number of acres contained in 18 fens named. Total of all the fens, 24,283 acres, 1 rood, 5 poles. Total of all land decreed to the undertakers out of the fens, 8,096 acres. The third part of all fens and dales, 10,201 acres. [1 p.]

13. List of the commissioners for draining the Fens, together with a list of the justices of assize for the county of Lincoln. [7 pp.]

14. A relation concerning the importation of silver in Sec. Windebank's hand. By his Majesty's declaration in the Star Chamber, gold and silver are to be considered commodities of merchandise. The manufacture of gold and silver thread recently set up will consume great quantities of bullion. The trade being left at large, every one will be desirous to import great store of bullion to furnish this market, so that by this means the manufactures will be supplied for this kingdom, and also the mint continually furnished with bullion enough. If the importation of bullion for this manufacture be undertaken by one man, it will make all other merchants to be discouraged from bringing it in, which will enhance the prices and consume our own bullion also. [*Endorsed*, M. Richaut, concerning bullion. $\frac{2}{3}$ p.]

15. Project by [Sir John Lambe] for stamping of bullion. Gold may be so raised for one whole year only, as thereby—1. The King shall have the use gratis of 20*l.* in each 100*l.* for all the year, which will come to a greater sum than he shall need. 2. The owner shall get 50*s.* in every 100*l.* that is brought in. 3. It is a frequent thing in other states. 4. It may bring back some of our gold already exported. 5. The subject shall lose nothing, but only, after the end of the year, 7*d.* in the pound, which the first owner gained at the bringing in of it, which will be not considerable, for that men, knowing a year beforehand, will have so dispersed the gold as that very little will be left in any one man's hand. To effect this, a proclamation to endure for one year may be issued as here specified. All gold not stamped to continue at the same rates and value as now. After the year is ended, then all gold stamped to be received throughout his Majesty's dominions at the same rate and value as before the stamping. A stamp-master may be appointed, having for his pains and attendance a penny for every piece of 20*s.* or 22*s.* so stamped of the owner, and one penny in like sort at the end of the year at the repayment of every 24*s.* 5*d.* or 26*s.* 5*d.* as above mentioned, and after the same rate for greater or less pieces. If any of the gold so stamped be carried into foreign parts, or into Scotland or Ireland, and not returned within the time, then the King has the 4*s.* 5*d.* in every such 20*s.* or 22*s.* clear, or else he gets but the use gratis, viz. of 20*l.* in each 100*l.* Counterfeiting the King's stamp shall be considered as counterfeiting the King's coin. To take or pay at any other rate than is aforesaid shall be punishable in the Star Chamber. [1 p.]

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16. Draft of the same with some slight variations, the following being the principal. The Marquis of Hamilton shall be stamp-master, and to receive for his pains 1*l.* in each 20*s.* or 22*s.* brought in and stamped of the owner, and upon repayment of the same at the end of the year 1*l.* likewise, and so after that rate for greater or less pieces of gold. [1 *p.*]

17. Further notes in Sir John Lambe's hand concerning his project for stamping of bullion. All who will bring in any gold shall presently receive 21*s.* for every 20*s.* piece, which is 5*l.* per cent., and so after that rate for 22*s.* pieces and all lesser or greater. [*Margin* : This 5*l.* per cent. is likely to cause bringing in.] The pieces brought in are to be stamped or marked, and then to go each 20*s.* for 26*s.*, and each 22*s.* for 28*s.*, and so after that rate. All pieces and gold not so stamped or marked to go at the rates as before. [*Margin* : This the like.] At the end of one or two years, as the King's occasions shall be, all or any of the gold so brought in and marked shall be received back by the King, and 25*s.* paid back for every 20*s.*, and 26*s.* for every 22*s.* piece, and so after that rate, and then to go as before at 20*s.* and 22*s.* from that time. [*Margin* : So this.] So,—
1. No man is compelled to bring in any. 2. If they bring it in, they gain 5*l.* per cent. 3. By keeping it they get nothing, now nor after, but lose the 5*l.* per cent. which by bringing it in they might have got. 4. The King gets only the use of 5*s.* or 7*s.* in each 1*l.* for all the time of his occasions for nothing, and at the repayment gets 5*l.* per cent. for all he does then repay. Observe, 1. The stamp or mark may be counterfeited; so it may now. 2. The subject will bring in none. Then he loses the 5*l.* per cent. which he may get. Then the gold he keeps will go but at 20*s.* and 22*s.* as before, and at the end of the King's occasions will be but 20*s.* and 22*s.* as before. 3. They will melt their pieces into bullion. But none can buy it for coinage but the King, and in bullion it shall be rated but as 20*s.* and 22*s.* are now. [$\frac{3}{4}$ *p.*]

18. Extracts from accompts of the Masters of the Mint from Anno 5 Henry VIII., showing what has been answered at various dates for the "shere." The benefit of the "shere" is now to the subject, who is thereby encouraged to come to the Mint. The moneys are now delivered by weight, so that if any pieces be made light, the subject has the benefit thereof in the number, for there will go the more to the pound, so that he has sometimes 63*s.* or more to the pound. When the King had the benefit of the shere, which it seems was only about the middle of King James's reign, the moneys were delivered by tale, and not by weight, so that if any were made light the King had the benefit, and the subject had but 62*s.* in number for his pound weight of silver. [1 *p.*]

19. Notes and calculations comparing the respective values of English and Flemish coins. 20 shillings in English money contain in fine silver 3 oz. 10 dwt. 23 grs. 4 mts $\frac{1}{2}$. The error of the proposition is, that to the end to make the Lyons dollar 5*s.* 2 $\frac{1}{2}$ *d.*, and

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the royal of eight to be 5s. sterling, the exchange is erroneously reckoned at 33s. 4d. Flemish of the pound sterling, or a guilder of 3s. 4d. Flemish for 2s. sterling, which, indeed, was the old proportion between the English and Flemish moneys, but now, by the worse and baser coining of the Flemish moneys than of ancient time, the pound sterling is worth 35s. Flemish in payment and 36s. by exchange. After which rate the royal of eight makes in sterling money 4s. 6d., and the Lyons dollar 4s. 7½d., whereas the proposition makes the royal of eight to be 5s., and the Lyons dollar 5s. 2½d. [$\frac{2}{3}$ p.]

20. Sec. Windebank to the Messengers of the Chamber, Bailiffs, Head-boroughs, and others. It appears that David Ack, Samuel Cotte, Isaac Vacandry Admirall, and several other posts of France have been great transporters of gold out of his Majesty's dominions, and likewise contrary to the proclamation carry and deliver letters, to the great prejudice of his Majesty's postmasters for foreign parts. These are therefore to require you to take into your custody the said posts or messengers, or any other offending in like nature, as also all such packets and letters as they carry or recarry, which you are to keep safe and not to redeliver without order. [*Copy.* $\frac{2}{3}$ p.]

21. Petition of Christopher Dewe to Sec. Windebank. Being postmaster of the city of Hereford, petitioner was on the 29th March last required by some commanders (of the regiment of the Earl of Essex, who had commission to levy 200 soldiers there for the King's service) to furnish them with two post-horses and a guide to the deputy lieutenants of that county, whereupon he, together with the mayor of Hereford and a constable named John Younger, went to the house of John Rogers, an innkeeper, who then had 16 or 17 horses in his stable, and desired to be furnished with three horses for the service, which Rogers refused and locked the stable door, so that they were compelled to break it open, and took out two horses for the King's service, one being the horse of Robert Weaver, a mercer, who insolently slighted your and the Earl's warrants, threatening petitioner with suits in law, and at the return of the horse refused to accept him and the usual post rate of hire, but enforced petitioner to keep the horse a week at his own charges. Another constable named Henry Bell went to petitioner's house, whilst absent on this service, and threatened to assault him. At the last quarter sessions for Hereford, Weaver having preferred his complaint before the justices of peace, James Clarke, J.P., bound petitioner to his good behaviour, and he is not yet discharged thereof. Prays the Lords to take some speedy course for his relief herein. [1 p.]

22. Petition of Christopher Dewe, of Hereford, vintner, to Sec. Windebank. About two years since petitioner obtained from your honour and Sec. Coke a patent for being postmaster in Hereford, at a charge of above 40l. He is so much envied at for his proceedings

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as postmaster, that the mayor, justices, and common council have joined in an information against him, pretending that he is a man of evil life and conversation, for no other reason but that petitioner takes up horses without partiality for furnishing his Majesty's affairs, and James Clarke, one of the justices of Hereford, has given out that he will be the break-neck of your petitioner. States other evidences of their ill-will towards him, and prays for compensation and protection. [1 p.]

23. Petition of Bishop [Williams], of Lincoln, to the King. He, most unfortunate, casts himself down at your Majesty's feet, begging with all possible importunity your grace and pity, and vowing in the presence of God and his holy angels to spend the remainder of his life in regaining your favour by his most faithful service and devout prayers for your Majesty, your Queen, and royal issue; imploring your grace and goodness, the lively representation here on earth of the attributes of God above, to grant pity to your petitioner, who cannot expect it in ordinary rules of justice, for further time to prepare his just defence to the information against him, consisting of ten distinct charges, unless your Majesty shall be pleased to take such other satisfaction from petitioner as to change his imprisonment in the Tower to a perpetual imprisonment of all the faculties of his soul and body to do your commands, and he shall ever pray to God for your Majesty, your Queen, and happy issue. [$\frac{3}{4}$ p.]

24. Petition of Robert Browne, preacher of God's Word, to the King. The Dean and Chapter of Carlisle, in lieu of service done by petitioner, gratified him with a lease of the tithes of Brisco in Cumberland, and parcel now of their revenue, but of which they had no profit until petitioner recovered the same by law at his great charge, soon after which they required him to yield up his interest therein. In lieu whereof they promised petitioner that he should have the first petty canon's place in the church of Carlisle which should become void; whereupon he surrendered the same, and soon after was invested in the said place, and continued so for some years past; yet, notwithstanding, of late they have made an Act to deprive him of that preferment without admonition or calling upon him to show cause to the contrary, and have placed another in his seat contrary to law. Conceives no other reason can be shown for his deprivation but non-residence, a privilege which all or most part of the rest enjoy, and are allowed their substitutes. Prays the King out of his abundant clemency to restore him to his former place. *Underwritten,*

24. 1. *The mayor of Carlisle and others, justices of peace for co. Cumberland. We, knowing the truth of this petition, do certify the same to your Majesty, craving pardon for our boldness. Signed by John Baynes, mayor of Carlisle, Sir William Musgrave, and two others. [1 p.]*

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25. The King to the Vice-Chancellor and Senate of the University of Cambridge. Complaint having been made by John Turnay, clerk, Fellow of Pembroke Hall, that he having had your approbation for the degree of B.D., and performed such exercises as are required by the statutes, has been, notwithstanding, hindered from his admission thereunto in a disorderly manner, upon pretence of some offence given by him in a sermon lately made *ad clerum*. Our will is that you forthwith admit him to the degree of B.D.; but because we will not pass by any just offence or scandal, if any be given in his said sermon, we purpose to commit the examination of this business to some of our learned and grave bishops here, upon whose report, if we find him worthy of punishment, we will then cause him to be delivered over to the justice of that University to be proceeded with either by degradation or otherwise according to his demerits, which course will be much more just and exemplary than the staying of his degree in the meantime before he be heard. [Draft. 1 $\frac{3}{4}$ p.] *Annexed,*

25. I. *Reference to the Solicitor-General to take this business into his care and prepare a bill for signature according to directions given to the Attorney-General.* [$\frac{1}{3}$ p.]

25. II. *Petition of John Turnay to the King. To the effect above stated.* [1 p.]

26. Petition of the parishioners of Presteigne, co. Radnor, to the King. Petitioners have for many years been destitute of a preaching minister able and qualified to dispense the mysteries of salvation, although the parish be very large and numerous, and the maintenance competent. They therefore supplicate your "Royal goodness" in commiseration for the sad condition of so many souls and your Majesty's most loyal subjects to confer by patent under the great seal the rectory of Presteigne upon Robert Bretton, a pious, learned, and orthodox divine, of whose abilities petitioners have had frequent experience. [$\frac{1}{2}$ p.]

27. Petition of John Pocklington, D.D., and parson of Yevelden [Yeldon or Yielding], co. Beds., to the King. That Oliver Earl of Bolingbroke, since the late decease of Elizabeth Lady Say and Sele, petitioner's patroness, has much wronged the church by enclosing and decaying the greater part of the best tillage of that town, and also sealed a lease to one of his servants of a close worth 40*l.* per annum, parcel of the glebe land of the said church. The Earl hastens petitioner to a present trial at common law, pretending that the close is part of the demesnes of his manor, and was given by a tenant only in lieu of tithes of certain enclosed grounds called Highfields, whereas it is confessed by the Earl's counsel, upon perusal of the evidences, to have continued in the possession of the church 100 years for herbage of ten kine and a bull. The cause concerning the close depends in the Court of Chancery, where witnesses are to be examined in the next vacation, and where in equity it ought to

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be heard, petitioner having no evidences of sufficient antiquity to show how the church came to be possessed thereof at the first, but only continuance of possession beyond the memory of man, and the Lord Keeper has given petitioner liberty to try the pretended title of tithes in the Arches Court, where witnesses are examined, and assignation given for sentence upon the Earl's witnesses. Prays that the equity of his cause may be reserved for the determining of the Lord Keeper, and the trial at common law be stayed, in regard petitioner is not yet arrested or that he may have an indifferent trial at the King's Bench bar, and that none of the jury be taken out of those three hundreds whereof the Earl has the royalties lately purchased of your Majesty, but that the jury may be empaneled by the court, and that your Majesty would vouchsafe to signify your pleasure herein to the Lord Chief Justice and the rest of the judges. [$\frac{1}{2}$ p.]

28. Petition of Thomas Williams, of Southwark, feltmaker and haberdasher of London, now prisoner in the White Lion in Southwark, to the Council. Petitioner is falsely accused by Symon Mahune, now prisoner in the Compter of Southwark, to have said that the Bible was but a fable, and that if the King were in Scotland, and should do there as he does here, they would quickly cut him off. Protests that he never spoke nor even thought such words, but has been ever conformable to the religion and laws here established, as by certificate of the minister of his parish appears, yet he is kept in prison upon these false accusations by the practices of certain defendants against whom he has prosecuted a suit in the Star Chamber. Prays the Lords to call petitioner and Mahune before them, that upon examination and discovery of the truth of the said practice and subornation such order may be taken for his charging or discharging as shall be thought meet. [1 p.]

29. Petition of Francis Haynes, clerk, vicar of Eburton [Ebrington], co. Gloucester, to the Council. Having for the 16 years during which he had been vicar never received above 24*l.* per annum, which being far short of maintaining his charge of a wife and six children, was of necessity compelled to petition for your procurement of some addition to that sum from Captain Kite, Esq., and John Arris, gent., two of the "parsons" there. You vouchsafed your letters to the parsons and they worthily answered. Since that, you required to be certified from petitioner of the respective profits of Capt. Kite and Mr. Arris by the parsonage. Petitioner certifies that Capt. Kite reaps 170*l.* per annum, and Mr. Arris about 10*l.* per annum. Thanks the Lords for their favours to him in this behalf, and beseeches them to make such determinate order and end therein as they shall find fit. [$\frac{2}{3}$ p.]

30. Petition of the same to Archbishop Laud, Lord Keeper Coventry, Lord Treasurer Juxon, and the rest of the Council. That in November last petitioner was necessitated to apply for some addition to his small stipend, being but 24*l.* per annum. The Lords

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thereupon were pleased to recommend his case by letter to Capt. Kite and John Arris, who with Lord Noëll are parsons of Eberton [Ebrington], and receive 200*l.* per annum for the same, requiring them to allow petitioner a supply of maintenance answerable to their portions therein, whose answer was to be returned by the first day of this term. Capt. Kite has offered petitioner an addition of about 5*l.* per annum, while Mr. Arris has made no offer, but both being much incensed against him, threaten many suits and to drive him from his cure. Prays the Lords to favour him by persuading his said patrons to make him such competent allowance as to them shall seem meet, and that he may be suffered to live peaceably amongst them. [1 *p.*]

31. Petition of Augustine Rawe, B.A. Oxon, and public notary, to Archbishop Laud as Chancellor of the University of Oxford. For nine or ten years past petitioner has followed the practice under his late father, who was a procurator exercent in the Arches Court, and still continues a procurator exercent in the consistory both of the Bishops of London and Winchester. Prays the Archbishop to admit him into the number of the procurators exercent of the Court of Arches. [$\frac{2}{3}$ *p.*]

32. Petition of Edward Clench, of Grantchester, co. Cambridge, to Archbishop Laud, of Canterbury. Petitioner having just cause of action against Thomas Whatton, vicar of Grantchester, caused a warrant to be delivered to two bailiffs for his arrest, who incontinently arrested him in the church after divine service, for which offence the bailiffs, having been censured and committed, submitted themselves to the censure of this [the High Commission] court. Petitioner being innocent of any the least abetment in that action, and by reason of his country employments unfit to maintain a suit in this court [*see vol. ccccxv., No. 18*], entreats your Grace to refer the determining of the cause to Sir John Lambe and Sir Nathaniel Brent, or any other whom you shall think meet. [$\frac{2}{3}$ *p.*]

33. Petition of Thomas Payn, printer, to the same. William Jones, heretofore a printer, about 24 years since became engaged by statute to Ralph Blower and Mary his wife, for payment of 14*l.* per annum during their lives. Petitioner about four years ago becoming copartner with Jones, the latter for some misdemeanours was suppressed, and at the rectifying of the number of printers your Grace granted license to petitioner to use his art under the conditions then appointed. Jones neglecting to pay the said annuity to Mary Blower, who had remarried since the death of her first husband, she complained to your Grace, when you referred the matter to Sir John Lambe. Sir John at first appointed petitioner to pay 7*l.* of the annuity, and lately 10*l.* per annum, thinking the woman received the same, but such is not the case, for it was long since sold to rich men, who set her on to trouble petitioner for their benefit, although at his entrance into partnership with Jones he was

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not to pay any part of the annuity, but brought into the firm a stock of above 160*l*. Petitioner, in obedience to Sir John, and in hopes Jones would thereupon surcease his suits, has paid the 7*l*. for a year and three quarters space. Petitioner being a poor man, undone by the partnership and bad dealing of Jones, would have been deprived of maintenance for himself and family but for your mercy in granting him the title of printer, which he has used without misdemeanour. Prays that he may be suffered to continue his trade in quietness, and not be required to pay any part of the said annuity, which belongs to Jones to discharge. [1 *p*.]

34. Petition of Stephen Knight to Archbishop Laud. Ever since the passing of the statute 1 Eliz., whereupon the commission ecclesiastical is especially grounded, there has been express power given to the commissioners, or any three of them, to allow to the registrar and his clerks attending that commission such salary or allowance for their pains in attending the businesses *ex officio* as the commissioners should think fit, the same to be paid out of the fines and forfeitures ecclesiastical accruing to his Majesty by virtue of the said commission. Prays allowance of such recompense for his true care and pains for all the particulars in a schedule annexed, done in the time of his executing the said registrarship, for a great part whereof he has disbursed ready money. [$\frac{3}{4}$ *p*.]

35. Petition of George FitzJeffrey to the same. Petitioner's father, George FitzJeffrey, married Anne, daughter of Sir John Osborne, and died about 22 years since, leaving petitioner their only child, about three months old. Upon which occasion Sir John took into his care and protection the petitioner and his mother, she being unable to guide her estate, consisting of 240*l*. per annum out of petitioner's lands, and 200*l*. per annum out of houses in London, which last was settled upon her and her husband by Sir John at the time of their marriage, and caused her to convey by deed all the said premises to him to hold during her life. At his death, Sir John having provided by will for the repayment of the profits of the aforesaid sums, left Lady Osborne his executrix, who undertook the care of petitioner's mother, and received her income, amounting to 440*l*. per annum, for above nine years, until Easter term, 1638, when she dying, left her son, Thomas Osborne, her executor. Complains that Thomas, having possessed himself of the combined estate, amounting to a great value, had persuaded petitioner's mother to remain with him, to the exclusion of petitioner from her society, who was thus likely to be deprived of his interest in the profits of her estate, contrary to the will of his grandfather, Sir John Osborne. Prays the Archbishop to call before him Thomas Osborne and petitioner's mother to give answer why the estate should not be known and preserved to and for petitioner, as in natural obligation and all equity it ought to be. [$\frac{3}{4}$ *p*.]

36. Petition of John Norris to the same. Having a reversion in Ottery St. Mary, co. Devon, a dispute arose between him and John

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Eveleigh, clerk, who got possession thereof under pretence of an entail. Upon Eveleigh's petition being referred from his Majesty to your Grace and the Lord Keeper [Coventry] no such entail could be found, yet petitioner for the last four years has been kept out of possession, and deprived of the profits of the said tenement, being his whole livelihood; and further, to ruin petitioner, Eveleigh has since commenced a suit in the High Commission Court against him for saying "that there was no credit to be given to the clergy," which petitioner on oath has denied ever having spoken. This cause came to be heard after the last term, whereas petitioner was informed by his proctor that it was set down for hearing the next term ensuing, which occasioned him to neglect it, whereupon he was fined 200*l.*, being more than he is worth. Prays his Grace to commiserate him, being altogether innocent, however justly condemned by legal proceedings of this High Court, that his fine may be either totally taken off, or so mitigated that he may be able to make payment. [1 p.]

37. Petition of Agnes Bowring, widow, to Archbishop Laud. Petitioner holding a small tenement in Wiveliscombe, co. Somerset, for her widowhood, Lady Haley desiring to wrest her out of the same, with her son-in-law, Mr. Weare, made entry upon the tenement, and brought actions against her at common law. Not contented with thus harassing her, they now prosecute petitioner in the High Commission Court for supposed incontinency with John Chapman, her uncle, being of the age of 75 years, of purpose to undo her and wrest her out of her tenement. In consideration of her poverty, and distance from London, prays his Grace to admit her to defend this suit *in forma pauperis*, or else to dismiss her out of that court, and order her to make her purgation before Dr. Duck in the Consistory Court of the Bishop of Bath and Wells. [*Endorsed by Sir John Lambe as referred to the High Commission.* ½ p.]

38. Petition of the same to the same. Verbatim with the preceding. [½ p.]

39. Petition of Elizabeth, wife of George Ballard, of Higham-on-the-Hill, co. Leicester, to Sir John Lambe, Commissary for the Archdeaconry of Leicester, by authority of the Archbishop of Canterbury during his metropolitan visitation. That Margaret, wife of John Gardner, of Higham, commenced a cause of defamation against petitioner before your worship, and in prosecution thereof employed Mr. Whitehead for her proctor. During the dependence of this cause, and three months before it was sentenced against petitioner, it was by mutual consent referred to the arbitration of neighbours, who heard and determined the same, and enjoined a submission to petitioner for the words uttered by her against the said Margaret, the which petitioner performed accordingly, and made payment of 10*s.* for charges disbursed, besides undertaking to pay the fees of Mr. Whitehead. Complains that Whitehead, ignoring

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this settlement of the dispute, without the privity of petitioner and her husband, proceeded in the cause before your worship, and concealing the certificate of agreement, obtained a sentence definitive against petitioner, by which she was enjoined to do penance for the words uttered by her and condemned in charges of suit, which by Whitehead's pronouncement are taxed at 3*l.* 13*s.* 4*d.* Petitioner, for not appearing, is to undergo her penance, and for nonpayment is excommunicated, and so published and denounced. Prays Lambe to take the premises into consideration, and upon manifestation of the truth therein to set down some order for her relief and the reformation of those who herein have so much abused and wronged her. [1 *p.*]

40. Petition of Robert Mawde to Sir John Lambe, Dean of the Arches Court of Canterbury. By virtue of a council warrant dated 30th March [1639] petitioner has ever since been in the hands of a messenger, ready to give his attendance in submissive manner before the Lords, but cannot obtain access, by which means he is restrained from following his necessary occasions, to the utter ruin of his family. Prays Lambe to grant him a certificate to inform the Lords of his restraint, miserable poverty, and great charge, so that they may give him an honourable and favourable hearing, and he may be discharged from further attendance. [$\frac{3}{4}$ *p.*]

41. Petition of Elizabeth, wife of William Chambers, of Shadwell, mariner, to the same. About three years since she was married to her said husband, who within four days went to sea, leaving her for 32 months. In his absence, she being scandalised by Mary Nash, sued Nash in a cause of defamation, who, to prevent the suit proceeding, maligned her to her husband on his return, and so incensed him against petitioner that he beat and expelled her from her lodging, and now sues her in the Arches in a cause of divorce upon pretence of adultery. Prays Lambe to allow her a competent maintenance, her husband being a gunner's mate, receiving 28*s.* per month, and having in money 60*l.* [1 *p.*]

42. Petition of John Carden to the same. Petitioner was cited to prosecute his appeal in the Arches Court at the promotion of Thomas Aldridge or Altrige, but falling sick could not attend; whereupon his proctor, to save him from excommunication, alleged an agreement between them, for which your worship condemned petitioner in 30*s.* charges. Prays mitigation, in consideration that he hindered his adversary only one court day, and that he may have a longer day for payment. [$\frac{1}{2}$ *p.*]

43. Petition of John Dickinson, girdler, to the same. That Catherine Barnaby, of St. Alban's parish, in Great Wood Street, being wife of John Barnaby, who was departed beyond the seas to avoid her contentions, as may appear by his certificate, never ceases going to law, and had stirred up 28 suits in her own and other persons' names against her neighbours. She having for her mis-

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demeanour been indicted for a common scold was found guilty and judged to be ducked, but upon her submission and promise not to be further troublesome judgment was suspended. Having since reverted to her former contentious courses, she stands presented before your worship by the officers of St. Alban's parish for scolding, reviling, and railing upon her neighbours, which as yet goes unpunished. Petitioner prays Lambe to mediate his sentence, she daily wounding his credit by her scandals, and for that she being under "covert barne" he can have no action of recovery for his infinite wrongs, neither himself nor his wife being allowed to rest in quiet for her.

44. Petition of Catherine Barnaby to Sir John Lambe, Dean of the Arches Court of Canterbury. Petitioner, ever peaceably minded and painful in her vocation, has been much abused and wronged by her adversary, John Dickinson, who has by all means sought her ruin and destruction, both in her estate by raising suits and differences against her, as also in her credit and esteem by using against her scandalous and defamatory speeches, procuring thereby a separation between her and her husband, who has left her much distressed, subject to the evil intendments of her adversary and his confederates, against whom she has no hope of relief, except in this [the Arches] Court. Petitioner having in this court overthrown her adversary, he now gives information most unjustly against her to your worship, affirming that she has been once or twice ducked, that she has been indicted at the sessions by sundry of her neighbours, and that she is a common disturber of the peace. To purge herself of these false reports she is ready to produce before your worship honest and sufficient testimony to the contrary. Prays Lambe not to credit the false reports of her adversary, whose sole study is to make her miserable. [1 p.]

45. Petition of Frances, widow of Richard Broxon, upholsterer, to the same. Her husband dying about seven years since intestate, she administered upon his goods and exhibited the inventory thereof into court by Mr. Fish, her then proctor. Being lately warned to bring in her accompt she has delivered it into court, for which a demand of 30s. or 40s. is now made, but which she is unable to pay. Her husband's goods amounted only to 46*l.*, and his debts to 60*l.*, whereof she has paid 20*l.* The creditors, commiserating her poverty, being left with five small children, have forborne to trouble her for the remainder. Prays Lambe to grant her a *Quietus est* out of his court, remitting the charges for the same and for the said accompt. [$\frac{2}{3}$ p.]

46. Petition of Mary Bury to the same. That John Cruso, of Norwich, as executor to his father, retains in his hands 100*l.*, the property of petitioner's mother, deceased, notwithstanding an order in Chancery for its payment to petitioner and her husband. The letters of administration of petitioner's mother's goods taken out by Cruso having been revoked and granted to petitioner and her husband at Norwich, Cruso appealed against the same to the Court

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of Arches, and by pretence thereof still detains the 100*l.*, for want whereof petitioner's husband is detained a prisoner in the King's Bench. Prays Lambe to remit the cause concerning the appeal, that so petitioner may have her course in equity for relief of her distressed husband and herself. [1 p.]

47. Petition of Margaret, wife of William Bruton, of St. Saviour's, Southwark, to Sir John Lambe, Dean of the Arches Court of Canterbury. Her husband having instituted a cause of divorce against petitioner before Dr. Mason, Chancellor of Winchester, was condemned in expenses of suit and alimony, and for nonpayment excommunicated, from which he appealed, on purpose to starve or compel her to consent to a divorce, which she still refusing, he is now determined to make away his means and go to sea. Prays Lambe to decree the apprehension of her husband by warrant out of the High Commission, that there he may enter bond not to depart the kingdom, or at least to allow petitioner a competent maintenance. [$\frac{2}{3}$ p.]

48. Petition of Robert Cockerton to the same. Having a suit depending in the Arches Court he retained William Wentford for his proctor, by whose neglect, in not taking out and paying for certain books, he is now excommunicated and forced to pay 35*s.*, yet Wentford refuses to give him any account of how he had spent the sums received, and delays to bring his cause to a hearing. Prays Lambe to call Wentford before him and require an accompt of the money received from petitioner, and to take such further order for his relief as justice shall require. [$\frac{3}{4}$ p.]

49. Petition of the clergy, churchwardens, and parishioners of Leighton Buzzard and the chapels thereunto belonging, being a peculiar and exempt jurisdiction within the archdeaconry and county of Beds, to Sir John Lambe, visitor for Archbishop Laud in the triennial visitation of the bishopric and diocese of Lincoln. Whereas the clergy and inhabitants of the said peculiar and exempt jurisdiction have, time out of mind, enjoyed the immunity and privilege from being called by the Bishops of Lincoln or their officers out of that jurisdiction, but have been visited by them there, or by the dean and chapter of Lincoln, who have episcopal jurisdiction over them, and that triennial which they have formerly exercised; yet, notwithstanding you had begun the visitation here, and gave hope that they should not be cited hence, petitioners are summoned to appear at Bedford, 12 miles distant, before your surrogates, contrary to their privilege and exemption, and to your intention, as they hope. Pray Sir John Lambe to be aiding to them in the maintenance of their privilege and immunity, and to give order to his surrogates to forbear and suspend all further process against the clergy and inhabitants within the peculiar and exempt jurisdiction aforesaid, where, if you shall appoint them to sit, petitioners shall in all duty perform obedience, and pay such dues and duties as to them severally appertain. [1 p.]

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50. Sir John Heydon to the Master and Fellows of Gonville and Caius College, Cambridge. Has exercised his right of presentation in favour of John Catilin, educated in the free school of Holt, co. Norfolk, to one of the two scholarships in their college, to which Heydon claims right of presentment through his great grandfather, Sir Christopher Heydon, and desires that the same may be ratified and confirmed. [Draft. $\frac{2}{3}$ p.]

51. Remonstrance of Dr. George Bardsey, Fellow of Queen's College, Cambridge. Has found Dr. Martyn, since his being master of that college, averse to him in all ordinary preferments and offices in the college, which he might challenge by reason of his seniority, as, viz., in passing by him in the offices of proctor, tasker, and scrutator, which have been conferred upon his juniors. The bursarship was conferred upon him in his turn, but then the master revived an old order of the house, for every one to pay their duties monthly, which being difficult for the scholars to perform, drew upon the doctor much trouble and malice, causing him to lose 50*l.* upon the making up of his accompts; likewise, two benefices in the gift of the college were conferred upon his juniors, with other matters of complaint which the doctor here enumerates. He is now going to Venice with the ambassador as his chaplain, but can only procure leave of absence till Michaelmas next, and so from year to year, whereas other fellows who have travelled have had leave of absence for three years together. If the doctor's friend should neglect to ask his yearly license for absence, he may thereby lose his fellowship. And further, whereas all other fellows who have travelled have paid nothing for their commons in their absence, the doctor is ordered to pay for his. Since the doctor's last coming from Cambridge his poor scholar is put out of his sizing for nonpayment of less than 6*d.*, notwithstanding that the doctor had most part of his last year's and all this year's means in the bursar's hands. [1 p.]

52. Nicholas Darton, vicar of Kilsby, co. Northampton, to Sec. Windebank. Having taken the oath of allegiance so often as I have done, I cannot, without breach of the same and abundance of disloyalty to my King, conceal any seditious words or actions, proceeding from any factious person whatsoever, either against his Majesty's person or his most royal proceedings. The truth is, I have acquainted Bishop Towers, of Peterborough, my diocesan, with the disloyal words and behaviour of sundry factious and seditious persons before I durst presume thus. Let it not therefore be deemed rashness in me, for the discharging of my conscience (and that disloyal faction may be crushed and punished), to open the misdemeanours of certain seditious natures against his Majesty's most royal, reasonable, and religious designs. The names of the parties, with their words, full of mutiny and sedition as I conceive, I have set down in a paper by themselves, showing you what things I can justify *juramento proprio pro rege*, and what other matters will be justified, not only by my oath, but that of other honest men, who

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have both heard the words and seen the carriage of those factious men, as well as myself. What you now think fit to be done either to or with these disaffected persons I leave to your judicature, beseeching you that where my single testimony is not sufficient *pro rege*, which I believe will prove sufficient, to let that matter die; for, under favour, there is such a vein of refractory disposition amongst many, that though some of them speak never so vile against God, the King, and the Church, and sow sedition, yet will not the rest be witnesses against them, though they both hear and see disloyalty never so plainly. [1 p.]

Staughton Moor.

53. John Spencer to Sir Walter Mountacute [Montague]. Reproaches him with having deserted the religion of his youth and become a convert to Romanism. You have been fed with the husks of human traditions, that so you might leave the commandments of God and learn to dishonour your parents; for what greater dishonour can you do unto your honourable and reverend father, and your noble progenitors, who have been so famous in this kingdom for the possession of the gospel and their loyalty to their sovereign, now to have a son so degenerate as to disclaim your holy faith wherein you were baptized, and to decline the supremacy of your sovereign King, and to acknowledge the Church of Rome to be your mother. Relates a scandalous anecdote of the immoral conduct of a young priest. [1 p.]

54. Note by Sir John Lambe of dilapidations presented at the late visitation, with the names of the peculiars in Beds and Bucks. [*Written on the fly-leaf of a letter directed to Sir John, with a seal bearing crest and arms.* ¼ p.]

55. J. V. to his wife. I was yesterday informed that Mr. Powell, a minister and schoolmaster, now staying in Duck Lane, being intimately acquainted with [John] Oakes, who printed "Sales' Instructions to a Devout Life," asserted that he heard Oakes utter words to this effect: that when [Nicholas] Oakes saw his son, young Oakes, about to print that book, he warned him to take heed what he did, for about 20 years past he had printed the same book, but was shrewdly pinched by it, and paid soundly for it; whereupon young Oakes was startled, and went to Heywood who licensed it, and told him what his father said to him, but Heywood bad him fear nothing, be silent, and go on in the business, for he would warrant him from any danger. The same friend assured me yesterday that there is a sermon printing at Mrs. Fletcher's, and another divinity book at Mr. Harper's, and that they were not permitted to print them till the licenser had expunged all passages that concerned Rome or opposing popery. [1 p.]

56. Note of certain passages in a sermon of Bishop Moreton, of Durham, as it was preached and tendered to the press, with the same passages in the opposite column as altered and corrected by the King's command. These passages chiefly relate to church government and the teaching of Calvin and Beza. [*Endorsed by Arch-*

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bishop Laud: “[Alterations] in the Bishop of Durham’s sermon before the printing of it.” 1 p.]

57. Note of certain passages bearing on the relations of ministers to their congregations, apparently extracted out of a sermon. [1 p.]

58. Articles in the Court of High Commission objected against Edward Bagshaw, touching his interference in a cause depending before that court against Francis Nicols, of Faxton, co. Northampton. [8 pp.]

59. Notes by Sec. Windebank touching the course taken with the Merchant Adventurers, for reducing them to the government of the Church of England. The prevention of their marriages with the Hollanders upon pain of disfranchising; the interruption [caused by] the intelligence they hold with the [Puritan] faction here; the calling them into the Star Chamber for breach of their charter in maintaining foreign church government against statute 1 Eliz.; for receiving factious ministers and such as have been banished the Church of England for nonconformity; and for their dispensing with foreign marriages contrary to their charter, whereby his Majesty loses his subjects; the secrets of the kingdom are revealed; our clothing trade brought into those parts; and our commodities of wool and fuller’s-earth transported. [*From the endorsement it would appear these notes were intended to be embodied in a despatch to the Queen of Bohemia.* ½ p.]

60. Imitation Scotch ballad, written “upon the Scotch sermon that compared the kirk to a horse.” It comprises 16 lines, and was sent to Sec. Windebank, apparently by Ralph Earl of Westmorland, with whose crest it is sealed:—

“The kirk’s a horse the preacher said,
Forsooth and sea say I;
A foule, unruly, mistaught jade;
A cope carle certainly.

* * * *

“And yet for all she has forgot,
Mount we once mare I vow;
We’el teach her her own pace and trot,
And Canterbury too.”

[*Seal with crest and garter.* ¾ p.]

61. Petition of William Drury, gent., prisoner in the ‘Clink, to the King. For more than seven years petitioner has been afflicted with a fistula in his right arm, the wounds whereof receive seven yards of tent, which fistula has been seen by divers physicians and chirurgeons of London. His affliction during his long imprisonment [for recusancy] has absorbed all his means, so that he is debarred from procuring the most effectual aids for his cure, having no means at all to live upon but the charity of good people. Prays that he may be restored to liberty, putting in sufficient security for his rendering

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himself prisoner again so soon as ever he shall recover his health.
[$\frac{1}{2}$ p.] *Annexed,*

61. 1. *Certificate of Edward Maie, doctor of physic, and three others, that they have seen the arm of William Drury, and judge it to be a very dangerous fistula, and a subject full of commiseration.* [Endorsed: "Drury, recusant, sent by the Queen." 1 p.]

62. Petition of Sir Thomas Glemham and Sir John Powlett to the King. That Peter Gifford, Esq., has for many years past aided, relieved, and constantly received into his house in a public manner, Roman papistical priests, where he has been partaker of mass, living 120 miles from London. Likewise, Henry Lanckton, *alias* Lonville Clarke, of the same place, is also culpable of the same offence, by means whereof they have committed felony, and by law stand indicted upon their convictions, their estates immediately falling to your Majesty's disposal. Pray a grant of the same to petitioners, and that they may compound for their estates with your gracious pardon for their lives. [$\frac{1}{2}$ p.]

63. Petition of Peter Willford, prisoner in the Counter, Wood Street, to the same. Although the mercy of the law allows to such prisoners a liberty of going abroad for despatch of business and preservation of health, which, under your goodness, he might taste of, but being a poor Catholic he dare not make use of that freedom for fear of pursuivants and such like troublesome persons, who, for their own private gain, seek to deprive him of that benefit which sufficient caution to the keeper of the prison would afford him. Prays that upon sufficient caution given to the keeper of the prison, he may be suffered to go free from such as would trouble him for matter of religion, being ready to answer before the Council table when he shall be called. [$\frac{1}{2}$ p.]

64. Petition of Daniel Chambers, prisoner in the Fleet for debt, to the same. To the same effect as the preceding petition.

65. Petition of John Cobb, of Sandringham, co. Norfolk, to the same. Having ever been a Roman Catholic, he has by his manner of life given little or no scandal, yet, by the spleen of some too precise and malicious persons, after many years' quiet, is of late extremely vexed, so that himself and family are like to be wholly ruined, unless your Majesty, out of your gracious goodness, grant some relief. Prays a royal protection for recusancy, whereby he may be freed from the trouble and vexation wherewith he is daily molested. [$\frac{3}{4}$ p.]

66. Petition of Henry Lord, your Majesty's servant and guide in the New Forest, to the same. Petitioner has served your Majesty and King James as a guide in hunting time about 30 years. Dwelling in the New Forest, his grounds have continually lain open to the deer which feed therein. About six weeks since the bailiffs,

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in the name of the under-sheriff of co. Southampton, violently seized petitioner's cattle and other goods under pretence of his having to pay to your Majesty 20*l.* a month for recusancy, at the same time beating and evil entreating petitioner, his sons, and servants in a most violent and illegal manner, and would have carried away his cattle and goods, only he paid 22*s.* 6*d.*, and gave bond for 16*l.* by the end of this term. The under-sheriff or his deputy have often done the like acts, merely for their own ends. He offered petitioner to deliver up his bond for a small sum, and has so got money from divers other recusants upon like pretences. Prays that by your Majesty's special command he may have his bond delivered up, and not be molested hereafter in the like kind, and that he may be righted against the under-sheriff, his deputy and bailiffs for their illegal proceedings; to which end he begs reference to Sec. Windesbank, that he may take order therein. [1 *p.*]

67. List of letters of grace [and protection] granted by his Majesty to recusants, whose names are here given, with a similar list of noblemen recusants, including the Marquis of Winchester, the Earls of Shrewsbury, Worcester, St. Albans, Rivers, Castlehaven, Viscounts Mountague, Dunbar, and Cassell, Lords Abergavenny, Morley, Peters, Eure, Windsor, Vaux, Brudenell, Stourton, Roper, Herbert, son of the Earl of Worcester, Dowager Countess of Portland, and Dowager Countess of Rutland. Lord William Howard is noted in the margin as dead, and at the foot of the paper is written "Mr. Pulford's note." [1 *p.*]

68. Petition of Thomas Apperley to the King. That John Riccas, of Hopesay in Salop, labourer, was fined 200*l.* in the Star Chamber for his offence there recorded in Trinity Term, 1623, and has ever since obscured and absented himself, and likewise has made secret conveyance of his estate purposely to defraud his Majesty, so that the fine stands "nichelled" as a desperate debt in the Exchequer. Prays a grant of the said fine, which he will endeavour to recover at his own charge. [$\frac{2}{3}$ *p.*]

69. Petition of George Bishop, John Newman, senior, and others to the King. Petitioners being your Majesty's tenants within the manor and lordship of Chadlington, co. Oxon, have prosecuted a cause in the Exchequer on your behalf, and entitled your Majesty to the same against Hercules Osbaldeston and John Newman, the pretended owners thereof. After three years' prosecution petitioners have brought the cause ready for hearing, but cannot proceed by reason of their poverty, so that their opponents give it out that it shall never be heard. As they have already had two or three references touching this matter from your Majesty, and all in vain, although they have duly attended the reference, pray the King to signify to those whom it may concern, and to those before whom the cause is to be heard, for the avoiding of any longer delays and other abuses, that it is the royal pleasure expressly that this cause

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shall this next term receive a fair and judicial hearing and a final decree be made therein accordingly. [$\frac{2}{3}$ p.]

70. Petition of Nathaniel Wickins, servant of William Prynne, to the King. This is a MS. copy of the pamphlet already calendared from a printed copy under date June 1639 [see Vol. ccccxxiv., No. 105], but wanting the title-page and poetical introduction addressed to the King. [$2\frac{1}{2}$ pp.]

71. Petition of Mary Ayleworth, widow, to the same. That her husband, Richard Ayleworth, of Ayleworth [Aldsworth] in co. Gloucester, was on the 19th June last, barbarously murdered by John Slaughter, of that county, now in Gloucester gaol awaiting trial. Being informed that Slaughter is endeavouring by friends at court to obtain his pardon, petitioner prays your Majesty to grant him no pardon for so foul a murder, but to leave him to the justice of the law. [$\frac{1}{2}$ p.]

72. Petition of Mary Andrews, widow, to the same. That Nathaniel Hobart and James Walker are bound in the sum of 600*l.* for the payment of 300*l.* due $4\frac{1}{2}$ years since, which money being assigned for her children's portions and present maintenance, she has often made suit for the same, but Hobart having obtained a royal protection they both refuse payment. Prays permission to proceed against Hobart and Walker according to the laws of England for recovery thereof. [$\frac{2}{3}$ p.]

73. Petition of Philip Durand, a poor stranger, to the same. That upon his former petition against [John] Lord Mohun, his Majesty referred the examination of the matter in difference to the Earls of Dorset and Holland and Sec. Windebank, who took great pains therein, and endeavoured to persuade Lord Mohun to pay 6*l.* 11*s.* 3*d.* which they found resting due upon account to petitioner, and to withdraw his action at common law. Their report was transmitted to Lord Mohun, who has contemptuously neglected to comply with its award, and his solicitor boasts that he has a *procedendo*, and will go to a trial in London, notwithstanding by means whereof petitioner is in danger to be utterly undone, unless the royal favour be extended to him. Prays the King to confirm the said report, commanding Lord Mohun to perform it in every particular, and to set down order in prevention of further contempts or delays. [$\frac{2}{3}$ p.] *Annexed,*

73. 1. *Affidavit attesting the delivery of copies at Lord Mohun's house in Long Acre of the Lords Committee's certificate to the King, and of Mr. Durand's letter of attorney.* [Attested copy. 3rd June 1638. $\frac{3}{4}$ p.]

74. Petition of the same to Sec. Windebank. Thankfully acknowledges Windebank's pains already taken in his cause. The order was left at Lord Mohun's, but he has neither paid the money nor withdrawn his action against petitioner at the common law, so that your honourable proceedings are slighted. Prays that in

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pursuance of the said order Windebank would move the King in such a course, whereby Lord Mohun may be compelled to fulfil the same, and to pay besides such further charges as shall be found agreeable to equity. [$\frac{1}{2}$ p.]

75. Petition of Sir Richard Dyott, Sir William Dalton, Sir William Wentworth, and Sir Edward Wrightington, knights, councillors in the North for his Majesty's fee, to the King. That upon view of the commission and instructions it is thought that, in case of the vacancy of the place of Lord President in the North, the residue of the commissioners there have not power to execute the commission and instructions for holding the sittings or terms and doing justice according to the same, which would prove a great prejudice to your subjects in the North, in regard of the multitude of causes there ready for hearing at the next sitting or term, which is appointed to begin the eighth of March next, and whereto the causes of the former sitting were adjourned in respect of the troubles in those parts. To prevent the failure of justice, petitioners desire his Majesty's Privy Seal to authorise the commissioners already nominated to proceed and execute the same in case of a vacancy of the presidency in the same manner as they are authorised to do in the absence of the president and vice-president, until your Majesty's pleasure be further signified. [1 p.]

76. Petition of Sir John Lenthall, marshal of the King's Bench, to the Council. John Stevens was committed by the Lord Chief Justice to petitioner's custody as close prisoner for high treason by him confessed. Being at great charge in maintaining Stevens and his man to attend him, petitioner prays the Lords' order how he may receive satisfaction for the same. *Underwritten*, "Per Thomas Dudson, deputy marshal, ibidem." [$\frac{1}{2}$ p.]

77. Petition of William Bromley, John Edwards, Stephen Harrison, and Thomas Laker to the same. By virtue of a Council warrant petitioners were taken into custody by Philip Bourne, the messenger, and have been detained by him these 12 or 14 days; whereas upon their attainiture they ought to have been brought before the Lords, or else to enter their appearances and to be ready at the Lords' pleasure to answer. Complain that through their imprisonment they cannot prosecute their affairs abroad, being great and urgent. Pray that the messenger may have order to accept good security for their personal appearance when summoned to answer your honours' objections. [$\frac{2}{3}$ p.]

78. Petition of Thomas Viscount Savile, prisoner in the Fleet, to the same. Petitioner being lately censured in the Star Chamber, immediately submitted himself by rendering his body to this prison. Prays the Lords to grant him his liberty, in consideration of his urgent occasions and great indisposition at this time, he putting in security, as is accustomed, for payment of so much money and in such manner as they shall set down at the time for mitigation of fines in like cases. [$\frac{3}{4}$ p.]

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79. Petition of Henry Dyer, of London, joiner, your much oppressed suppliant, to the Council. Petitioner being next heir to a parcel of land of two acres with a tenement at Appledore in Kent, was deprived of the deeds belonging to the same by Edward Gadsby, clothier, of Smarden, who likewise caused him to be arrested at Tenterden for the charges of building the said tenement, which was done at the cost of Thomas Dyer, his brother, deceased. The difference being referred to arbitration, Edward Chute ordered petitioner to pay 20*l.* to Gadsby contrary to the evidence, detaining the land and tenement to himself for repayment of 4*l.* 15*s.* 2*d.* disbursed for petitioner on occasion of his arrest in Kent at Gadsby's suit. Afterwards Gadsby, knowing he was in error, delivered up to petitioner the deeds of this land, and discharged him from payment of the 20*l.* awarded by Chute. Petitioner upon his bended knee beseeches the Lords to consider the premises, and to order the breviat of the cause and grievances annexed to be read to them, and to take some order for his relief. [$\frac{2}{3}$ p.] *Annexed,*

79. 1. *Breviat of the cause between Henry Dyer, plaintiff, and Edward Chute, defendant.* [1 p.]

80. Petition of Thomas Sheppard to the same. That by virtue of a Council warrant he had deservedly suffered imprisonment in the Marshalsea since the 18th of last month. Acknowledges his offence to have been great, for which he is truly sorry, and prays consideration for his family, his means being small, and his practice in law interrupted by his imprisonment. Other persons suffer besides petitioner, in regard their businesses are only understood by him and lie imprisoned with him. Is ready to make his attendance on the Lords to give such further satisfaction, and to be ordered as to them shall seem requisite. Prays to be discharged from his imprisonment. [$\frac{3}{4}$ p.]

81. Petition of Thomas Coo to the same. That there was neither legal warrant for his commitment to the Fleet for eight years, nor for his six years' detention in Newgate, whither he was thence removed. There were returned with him certain uncertain transcribed papers importing some orders and rules issuing out of the Star Chamber, Chancery, and King's Bench, in which courts petitioner was never defendant, convented, nor convicted. Amongst the papers certified by the clerk of the Fleet to Newgate was exhibited in charge against petitioner a supposed Inner Star Chamber order of voluntary banishment, to the effect that petitioner was to depart the kingdom within 20 days, dated 1629. Gaolers are made his judges and jurors only to give their verdict to whom his carcase belongs to be interred. Prays that his Majesty's reference to Lord Keeper Coventry, the Lord Privy Seal, or the Attorney-General for audience and reformation may be put in execution. [1 p.]

82. Petition of Elizabeth Pynfould, *alias* Squire, wife of John Squire, now minister of St. Leonard's, Shoreditch, to Lord Keeper Coventry,

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the Archbishop of Canterbury, and others of the Council. Has been a prisoner for seven years in Bridewell, London, having been committed by a Council warrant petitioner knows not wherefore; unless it were for petitioning the Lords to cause her husband to allow her means of livelihood. Prays order for her enlargement and for her husband to supply her with means. [1 p.]

83. Petition of Amis Andros, his Majesty's servant, to Sec. Windebank. Two months since he presented a petition to the Council in behalf of his brother, who appealed from the court in Guernsey in a matter in controversy between him, Carey, and Beauvoir (*sic*). The Lords referred the settlement of the controversy to certain indifferent residents in that island, but Mr. Beauvais, though nothing interested in that business, moved for a stay of the same till further examination, on the plea that the Lords had been misinformed. Your honour then granted petitioner a lawful hearing; whereupon Mr. Beauvais, declining his former proceedings, reported here and wrote into Guernsey that the business had been by your means vacated and the Lords' letter made of no effect. If such unlawful proceedings of Mr. Beauvais be suffered without your honour's order it will much derogate from the authority of the Lords, and be prejudicial to petitioner, who is greatly interested, it being an abuse reflecting upon his whole family, and which, without a good agreement or fair examination, will cause multiplicity of evils and debates in the isle. Prays Windebank not to suffer the Council's letter upon the bare allegations of his adversaries to be slighted, but to take its full course if things be not in the interim quieted. [1 p.]

84. Petition of Edward Goodfellow, purser of his Majesty's ship the Swiftsure, to Algernon Earl of Northumberland, Lord High Admiral. Petitioner in 1636 and 1637 agreed with Thomas Clee late brewer, for supply of good wholesome beer for the said ship at 38*l.* per tun, and if any should prove defective petitioner should not be charged therewith. In March 1637, upon survey made of the beer supplied by Clee or Capt. Duppa, his partner, there were 19 tuns and two puncheons of defective beer not fitting for men to drink, as certified by Sir John Pennington and other officers of the said ship, which was accordingly returned to Clee or Duppa, who disposed thereof. In November 1638 Duppa and the petitioner accompting together, Duppa charged petitioner with the corrupt beer, to which accompt petitioner subscribed his hand and satisfied Duppa his full accompt, saving 38*l.* detained in lieu of the corrupt beer, for which he was sued in the Exchequer, but preferring his bill in the Court of Requests against Duppa and Clee obtained an injunction, and has proceeded to examination of witnesses, but cannot prove the matter so fully as is requisite, by reason of the absence of some material witnesses at sea or in foreign parts. When sued in the Exchequer petitioner addressed himself to your Lordship, who declared that upon the trial your assistance should not be wanting. Petitioner being now employed in making sea provision of victuals

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for the passage of land soldiers, he cannot fully prepare for a hearing in the Court of Requests before his Majesty's service be finished. Duppa has got an order in the Court of Requests against petitioner to proceed against him in the common law if he do not show cause to the contrary before Friday. Petitioner implores your honour to move the Lord Privy Seal to hear and determine the cause, so that Captain Duppa may take no advantage against petitioner whilst he is employed in his Majesty's service, and to do herein for petitioner's relief and expense as to his honour shall seem meet. *Underwritten,*

84. I. *The party being now in the King's service, let the injunction stand; and his service being finished he is to proceed with his cause to a hearing. [1 p.]*

85. Petition of Paul Clapham, clerk [vicar of Farnham, Surrey], Susan his wife, and Thomas Owen to Sir Humphrey Davenport, Chief Baron of the Exchequer. That in Easter term last [see Vol. ccccxvi., No. 37] petitioners were sentenced in the Star Chamber and fined 20*l.* to his Majesty, which fine has since been estreated into the Exchequer to be levied accordingly. Pray that in consideration of their small estate and large families they may satisfy the same by a small annual payment. *Underwritten,*

85. I. *Ordered as desired, the fine to be installed at 3*l.* 13*s.* 4*d.*, payable every Michaelmas until the 20*l.* be paid up. [=1 p.]*

86. Petition of George Colt to Philip Earl of Pembroke and Montgomery, Lord Chamberlain of the Household. Petitioner's sisters having preferred a petition complaining that he detained their portions and had committed some misdemeanours, you referred the consideration of the cause to the High Commission [see Vol. ccccxiv., No. 73.] Petitioner's sisters are paid their portions. In consideration that he is to wait upon his Majesty's affairs in the North, and that the cause in the High Commission Court is conceived to be maliciously prosecuted, petitioner is in hopes the court will consent to dismiss the cause, so it stands with your honour's liking. Prays the Earl to declare his pleasure that, if it shall seem convenient to the court to dismiss the cause, he will assent thereunto. [1 p.]

87. Articles setting forth the reasons why the fines of original writs should be reduced to the Crown, with objections against such alteration, and the answers to the same. For conclusion, if his Majesty be pleased to allow to the Lord Keeper any proportion out of the said fines, yet it is conceived that the residue of the fines now swallowed up by the inferior officers will be a considerable sum for the increase of his Majesty's revenues. [1½ p.]

88-89. Two copies of the preceding. [4 pp. and 6 pp.]

90. John and Francis Wayte, of London, being arrested at the suit of William Turner, of Reading, clothier, for a debt of 90*l.*, pre-

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tended when they saw that they were to be put into the Poultry Compter that they were in the Lord General's list, and afterwards, by Mr. Swen's means, procured a warrant from the Lord General to commit Thomas Day and William Edwards, who were Mr. Turner's agents, into the custody of the messenger, Stockdale, where they have been detained for a week, and are like to continue, unless they will release the two Waytes out of prison, and so hazard Mr. Turner's debt, which in likelihood he may now recover, their father being a rich man and one of the King's receivers. [$\frac{1}{2}$ p.]

91. Brief of proceedings in the Court of Arches in the case of Edward Bedwell, of St. Laurence, Ipswich, who was presented by the churchwardens to Dr. Peirce for not receiving the communion at Easter, 1638. Bedwell appeared, and alleged that it was through the fault of Mr. Balders, curate of that parish, that he had not so received. After hearing the cause the judge declared the fault to be in Bedwell, and not in Mr. Balders, and admonished the former to receive the next Sunday it was administered, and to certify the same the next court day. On the 8th June 1638 Bedwell appeared, but brought no certificate, whereupon he was pronounced contumacious, &c. From this act Bedwell appeals. Matthew Wren, then Bishop of Norwich, published and declared in his primary visitation of his diocese by way of direction and order, under the episcopal seal, that all communicants should come up reverently, and kneel before the rail to receive the Holy Communion, which directions were published in 1636, at least a year before Bedwell's refusal to receive the communion. There were divers knights and gentlemen of good quality resident in the town of Ipswich, besides 12 aldermen, none of whom ever refused to come up to receive the Communion at the rails. After the publication of the bishop's orders, except in the parish of St. Clement, the communion was for the most part delivered to none but such as came to the rails. Evidence was given that before Wren's coming to be bishop of Norwich the communion table of St. Laurence parish stood in the body of the church, and the communion was delivered to the parishioners sitting in their seats. [3 pp.]

92. Brief notes of a suit between Sir John Carew, Knt., Plaintiff, and Sir Richard Phillips, Bart., relative to the possession of the castle of Carew [co. Pembroke]. King James I. in 1605 demised the castle of Carew and demesne lands to William Lord Knollys and others for the life of the late Countess of Northumberland and for 31 years after her decease, and 12 years later granted the same to Sir John Walter and others for 99 years, from whom it passed to James Elliott and William Loveinge. The interest of both assignments are come to Sir Richard Phillips. Afterwards Sir John Carew and others to his use purchased the remainder of the 99 years and the reversion thereof from the Crown in fee-farm. Sir John's suit against Sir Richard in the Exchequer for decay of premises and wastes pretended to be committed. Sir John's only aim by the suit is to force Sir Richard to part with his interest in

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the premises at an under value, and if it were duly examined it would appear that Sir John has got the inheritance of the castle upon very easy rates, and paid but 22*l.* for the materials, for which 400*l.* will now be given, although they are in worse condition than when Sir John bought them. Sir John also prosecutes divers other vexatious suits against the defendant on purpose to gain the present possession to himself. [1½ *p.*]

93. Brief in a suit in the Court of Arches on the behalf of Thomas Tidie and Richard Juppe against John Gardiner, of Rusper, co. Sussex. The two former in 1636 being churchwardens of Rusper promoted the office before the judge in partibus against Gardiner for not paying 7*s.* 10*d.* towards the repair of the parish church of Rusper. [*Damaged by damp.* 29 *pp.*]

94. Similar brief on the part of Mr. Rawson, rector of Witherstone [Wyverstone, co. Suffolk] against John Browne for refusing to pay tithes. [10 *pp.*]

95. Bill in Chancery addressed to Lord Keeper Coventry, by which Richard Poke or Pooke, of London, grocer, complains against Edward Wigley and others. That the dean and chapter of St. Paul's having by deed of 14th March 1627-8 leased to Edward and Anne Wigley the Paul's Head, with other tenements adjoining, in the parish of St. Gregory, London, for forty years, at the reserved rent of 7*l.* 6*s.* 8*d.*, and the lessees being now both dead, the Archbishop of Canterbury or his commissary granted letters of administration to Henry Faunt, of Claybrook, co. Leicester, on the supposition that Wigley died intestate. Under colour of the said administration Faunt pretended himself to be lawfully possessed of the lease of the above premises, and, as administrator, offered the same for sale to petitioner, who, after several interviews with Faunt and his brother Anthony, agreed to purchase their interest in the lease for 1,080*l.*, whereupon surrender was made of the same to the dean and chapter, and they, upon receipt of 100*l.*, renewed the lease to petitioner for term of 40 years. This contract being concluded, and petitioner entered into possession of the premises, it is now given out that Wigley did make a will, disposing of his goods, and nominating some persons, unknown to petitioner, to be his executors. If this be true the will must have been intentionally concealed by Henry and Anthony Faunt, or by Mary, relict of Edward Wigley, in order that they might gain a colourable interest in the lease and so defraud petitioner. Prays that a writ of subpoena may be directed to Henry and Anthony Faunt, Thomas Spell, Thomas Chapman, Jervas Bradgate, Hastings Love, Henry Wigley, and Mary Wigley, commanding them on a day fixed to appear before his Lordship, to the end that they may discover if any and what incumbrances exist, and what confederacies have been entered into, and to what persons such incumbrances were made, and in whose custody the deeds and writings relative to the above-mentioned property are. [4 *pp.*]

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1. Resolution of the Judges concerning Border service. According to your Majesty's command we have assembled several times together and seriously considered of the matters to us referred, and we are all of opinion: First, that the descent of the Crown of England upon your late father, King James, did neither alter nor determine the customary estate of inheritance in the cos. of Cumberland, Northumberland, Durham, and Westmorland, nor the services due out of the same, but these estates and services remain and continue as formerly. Secondly, that such services as the lords, tenants, and all other inhabitants in these counties were accustomed upon incursions of the Scots to perform upon the borders for the defence of this kingdom of England were not determined by the union of the kingdom of England and Scotland in the person of King James or of your Majesty, all which, nevertheless, we submit to your great wisdom. [*Copy.* 1 p.]

2. Petition of John Talbott, Captain of the Fort at West Tilbury, to the King. That the fort was formerly encompassed with a fair fortification, as rampart, parapet, moat, and counterscarp, without which was a large entrenchment; all which, for want of timely reparations, are now demolished, and made even with the common adjoining, so that the cattle frequently come into the fortifications, and do exceedingly annoy the same. Moreover, there is a ferry-house and ferry kept within the fort by the lord of the soil, to his own benefit; so that the fort lies open day and night to beasts, and the ordnance exposed to injury from ill-disposed people, were it not for the vigilance of petitioner and the five gunners, who are all that appertain to the fort. About five years since a commission was granted for surveying the defects of the fort, when it was certified that the ferry ought to be removed without the fortifications. Prays the King to direct the Surveyor-General and Engineer-General of Fortifications to view the fort and mark off from the common the ground formerly appertaining to the fort, and also take order for the removal of the ferry-house and ferry. [1 p.]

3. Petition of Joseph Hawes, merchant, to the same. Petitioner set forth a ship called the Elizabeth to Virginia, which was taken by the Spanish fleet the 11th of October 1637. The Council granted letters to the English ambassador in Spain to demand satisfaction, with Sir Henry Martin's report. Lord Aston, at that time ambassador, endeavoured, but could not obtain, satisfaction, as appears by a letter to Sec. Windebank. Has since petitioned the Council to arrest two of the Spanish galleons, or to hand over the money and goods brought home in a Bermuda ship belonging to the same company which took the Elizabeth. Prays your Majesty, since he has been delayed $2\frac{3}{4}$ years, and all fair means used to obtain satisfaction, but nothing prevails, to grant him letters of restoration for satisfaction and the said order to be directed to Sir Henry Martin, Judge of the Admiralty Courts. [1 pp.]

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4. Petition of Captain Humphrey Cory to the Council. Petitioner of late preferred a design to the King, wherein is composed a way to fortify the trained forces of England, and so daunt attempts at invasion or insurrections, with a future ease to all Lord Lieutenants and their sub-officers of the train-bands. For that petitioner cannot understand what his Highness has done with the design, and fearing lest it should be undervalued or laid aside, he prays the Lords to give him audience or take the design into their consideration. [$\frac{2}{3}$ p.]

5. Petition of Capt. Joseph Fisher, his Majesty's Muster Master of the City of London, to Thomas Earl of Arundel and Surrey, Earl Marshal. To enable him to do his Majesty real service he prays instructions from the Board: First, to review the companies, and see that defects found upon his last view be amended. Secondly, that all men charged with furnishing arms be required to serve in their own arms if able, or else a good householder in their stead. Thirdly, that according to the King's directions to the last Lord Mayor, the arms may be marked, in order to prevent that common abuse in borrowing. Fourthly, that the captains deliver a true list of the strength of their companies to the muster master, with their names subscribed, that he may be able to render a true account to the Board. Besides what other directions it may please you to give to enable him in the performance of his duty. [$\frac{1}{2}$ p.]

6. Sir Thomas Grymes, one of the Deputy Lieutenants of co. Surrey, to the Lord Lieutenants of that county. Certifies the returns made by the constables of the several parishes in the hundred of Brixton of such persons as have not paid their assessments for prest, coat, and conduct money. The money already received remains in the hands of the constables. I desire to know your commands how it shall be disposed of. Those persons who have paid desire that they may not be singular, and suffer for their obedience; but if the rest of the county do not pay accordingly they may have their moneys returned. I have received no returns yet from the constables of Barnes, South Lambeth, and Lambeth Dean. [$\frac{3}{4}$ p.]

7. Petition of Thomas Walkley to Sec. Windebank. That upon petition to the Earl of Arundel and Surrey his Excellency gave leave to petitioner to print the lists of the army, on which he has expended, besides his extraordinary pains, above 30*l.*, and which being taken from him must tend to his undoing. Is very sorry to have offended Windebank by certain indecent speeches which he ignorantly let fall, not intending or thinking thereby any hurt at all. Prays the Secretary to pardon his indiscreet rashness, and to grant him his release. [$\frac{1}{2}$ p.]

8. List of the names of the officers of three foot and one horse regiment. The names of the colonels of the former were Sir Thomas Morton, Sir Simon Harcourt, and Sir Nicholas Byron, and that of the latter Col. Francis Trafford. These regiments served in the North this year. [3 pp.]

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9. A note of arms and munition required for supply of the stores at Berwick. [1 p.]

10. The like of arms issued out of the magazine at Hull. A portion of these stores were issued to Sir Alexander Gordon. [1 p.]

11. Notes by Nicholas showing the ordinary wages or pay allowed to horsemen and footmen in the service of the Crown at preceding periods. According to the English pay, at 28 days to the month, the foot have at all times, ever since 13 Eliz., had 8*d.* per diem. The horsemen had anciently 18*d.* per diem if lancers or demi-lancers, and 16*d.* if light horsemen or carabines. At the Isle of Rhé every horseman had 3*s.* 6*d.* per diem, but then these were few in number, and all in a manner volunteers, so that the greater allowance can be no precedent for these times and services now in hand. According to the Netherlands' pay, horsemen received about 1*s.* 5*d.* per diem. [1 p.]

12. The like of officers and others employed in the garrison at Carlisle and in the train of Artillery. [1 p.]

13. Similar notes extracted out of the accounts of Sir Thomas Heneage, Treasurer of the Army at Tilbury Camp, in annis 30 & 31 Eliz.; the accounts of Sir Valentine Browne, Treasurer of the Army sent into Scotland for prosecuting the northern rebels, fled thither in 13 Eliz.; and the accounts of Robert Carr, Treasurer of the Army levied in the south for repressing the northern rebels in 12 Eliz. The same pays of 18*d.* per diem for lancers, and 8*d.* per diem for footmen, were allowed in the accounts of the armies sent into Brittany, Normandy, and Picardy, for the aid of the late French King in annis 33 & 38 Eliz. [*Endorsed by Nicholas*: "This to be entered in my last year's book for the army." 1 p.]

14. Note of deductions to be made from the ordinary pay of officers and men towards satisfying the charge for raising of horse for the garrisons at Berwick and Carlisle, also deductions for tents for the foot. The raising of 60 horses at 15*l.* a horse comes to 900*l.* [$\frac{2}{3}$ p.]

15. Estimate by William Batten of a proportion of victuals for 500 land soldiers for three months, comprising bread, butter, and cheese, also beer for six weeks, with an estimate of the charge. Total, 604*l.* 1*s.* 5*d.* The above to be provided for a magazine for Carlisle. [$\frac{2}{3}$ p.]

16. Note of the number of soldiers and pioneers to be levied within the several counties of South Wales. Totals, 400 soldiers and 100 pioneers. [$\frac{1}{2}$ p.]

17. Certificate by the muster master of the names of those who failed to appear at the training with their arms, notwithstanding the warning of the corporals. Thomas Smith and Robert Hadman

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are specified as being principal shot, and had even been mustered and enrolled in the select band, but left their colours without license to go into the general band, "a fault in the wars punished with the strappado at the least." [$\frac{1}{2}$ p.]

18. Memorandum that Edward Sanders, of Sutton, co. Wilts, was pressed [as one of the train-band to serve in the North], and had for 15 days, at 8*d.* a day, 10*s.*, and 6*d.* for his press money, and that William Allenns, who went in his stead, had laid out upon him for uniform and other necessaries specified the sum of 29*s.* 4*d.* [$\frac{1}{2}$ p.]

19. List of colliers' ships belonging to the counties of Kent, Essex, Suffolk, and Norfolk, employed in transporting soldiers and munitions of war into the North. The list specifies the names of the ships, the masters' names, and the burden, after which is a list of the ships which went with the Antelope. [*Endorsed by Sir John Pennington*: "A list of the ships that are to carry the soldiers." 1 $\frac{1}{2}$ p.]

20. List of ships appointed to carry munition for the present expedition, with their burdens. Total, 12. [1 p.]

21. Propositions presented to the Board by the Officers of the Navy, wherein they desire the Lords' resolution. 1. For a Privy Seal to be granted to the Lord Admiral authorising the sale of stores provided for the northern expedition, now countermanded by the Lords. *In margin by Nicholas*: "Order to be given to the Clerk of the Signet for a Privy Seal accordingly." 2. A warrant for the discharge of all the merchant ships, colliers, and prams taken up for the expedition, excepting eight colliers' ships and four prams which are retained in his Majesty's service for the transportation of all the victuals provided for 5,000 land soldiers for six months, excepting the beer. *Margin*: "Order for this." 3. Order to be taken for present money to pay off the said ships upon their discharge with the incident charges thereunto belonging, and to be imprested to the 12 ships before they can set sail. *Margin*: "The officers are to attend the Lord Treasurer about this." 4. Order to what place the 12 ships shall be sent for delivery of the victuals, and whether they shall be despatched as they are ready, or stay for convoy. *Margin*: "Order to be sent away with all speed to Scarborough and thence to Tynemouth, to lie without the bar, whence to send notice to the Lieutenant-General of their being there; to send away three or four at a time as fast as they can." 5. A letter to be written to the Company of Brewers to take part of the beer that shall be merchantable; another to the Marshal of the Admiralty to require all merchants and others outward bound to do the like. *Margin*: "This to be done according to the precedents." *Underwritten by Nicholas*,

21. I. A letter to the Treasurers of the Navy to issue 1,300*l.* for present despatch of the 12 ships which are appointed to carry away the victuals. [1 p.]

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22. Memorandum by Sir John Pennington [presumably the subjects of several letters]. About the Holland Admiral's punishing his captains. About the packet-boat. About the Roebuck. About the not coming of the victuals for the four ships. About the 200*l.* the purser received. About Mr. Apslin. About the Hollanders' resolution, &c. [$\frac{1}{2}$ p.]

23. [The Commissioners for saltpetre and gunpowder to Montjoy Earl of Newport, Master-General of Ordnance]. It is the King's pleasure that you take effectual order to stop the sale of gunpowder out of the magazines upon any warrants already issued; also that you cause all such warrants, not yet executed or only in part executed, to be returned to us with a signification how much powder has been delivered upon these warrants. We desire to hear from your Lordship speedily in this business. [*Draft.* $\frac{1}{3}$ p.]

24. A list, signed by the King and Council, of the officers, attendants, and artificers, belonging to the train of Artillery, together with their several entertainments by the day, the month of 28 days, and the year. Total of the entertainments here particularized, viz., per diem, 43*l.* 7*s.*; per mensem, 1,213*l.* 16*s.*; per annum, 15,822*l.* 15*s.* [*Copy.* 1 p.]

25. [Montjoy Earl of Newport, Master-General of Ordnance, to Nicholas?] The commission granted to the officers of Ordnance for purveyance of timber, being now void by reason of the death of those officers named in the same, it is desired that the commission may be renewed to the present officers, for otherwise we shall not have power to do his Majesty service in this present expedition as is requisite. The present officers are Sir John Heydon, lieutenant; Francis Coningesby, surveyor; Edward Sherburne, clerk of the stores; and George Clarke, clerk of the deliveries. *Underwritten by Nicholas,*

25. 1. *Letter [to be written] to the officers of the Navy to survey the city ships, calling to them the Trinity House and shipwrights.* [1 p.]

26. Notes and estimates by Nicholas, to be submitted to the Lords, relative to the supply of munition and military stores. This is only a supply of what is not comprehended in former estimates to complete the grand proportion for the train of Artillery of 64 pieces of ordnance, whereof 54 pieces are sent away, and for an army consisting of 24,000 foot and 6,000 horse. [$1\frac{1}{2}$ p.]

27. Warrant to Sir John Heydon, Lieutenant of Ordnance, to repair to Portsmouth and take up for stowage of gunpowder, either the storehouse belonging to the victualer, or other places there convenient for this service. [*Draft.* $\frac{2}{3}$ p.]

28. The like to issue out of his Majesty's stores 60 last [*margin* 180 last] of gunpowder to be transported to Portsmouth, there to

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be safely stowed in the custody of John Biggs, deputy to Richard March, keeper of the King's stores there, it being thought requisite that his Majesty's store of gunpowder should not all be kept in one place, but that some considerable proportion be distributed to places of safety. [*Draft.* $\frac{2}{3}$ p.]

29. Certificate of the expenditure of gunpowder in his Majesty's ship the Victory, Captain Mynce [Mennes] being chief commander, during the months of May, June, July, and August 1639. Total, 1,074 lbs., besides two barrels for making fireworks, four barrels for exercising of the small shot, one barrel for priming powder for the ordnance, 60 lbs. waste powder for filling cartridges and pots, and 70 lbs. for blowing off all the lower tier. [= 2 pp.]

30. Petition of John Van Girish to the King. Has offered to your Majesty his service, and that he would show such an invention to do with 1,000 muskets and five men the same effects as with 1,000 men and at less charges; likewise how canons may easily be transported. That your petitioner might come to a proof hereof, he desires only the advance of 100*l.*, having spent his means in staying so long here [in England]. If he should come short in his enterprise, he promises to make restitution of the 100*l.* Prays a gracious answer. [$\frac{3}{4}$ p.]

31. Petition of Samuel Aylmer to the Council. Has for 40 years been charged in Essex with a lance and six muskets, and has ever duly performed this service. Complains that last vacation a messenger was sent into Suffolk from the Lords to bring petitioner up as a delinquent therein. Prays the Lords, in regard that he has performed the said service in Essex all that time, and now is charged with the like in Suffolk, to direct that he may be charged only in Suffolk, where he has been resident 20 years now last past. [$\frac{1}{2}$ p.]

32. Petition of Isaac Selfe, of Wick in co. Wilts, clothier, to the same. Petitioner being a tradesman keeping near 100 of his Majesty's poor subjects at work, and having not above 300*l.* per annum, yet is charged with a light horse, two muskets and a half, being more than others are charged with of twice his estate. Petitioner has ever been ready to perform that charge in duty and zeal to his Majesty, but now of late is charged for "tything armour," which considering too heavy for his estate he forbore to perform, and is now questioned to appear before the Board. Has entered his appearance, and waits upon your Lordships for a hearing, which he prays may be speedy, in order that he may return to his charge and trade. [$\frac{1}{2}$ p.]

33. Petition of the Gunmakers of London to the Lords and others, Committees for the Council of War. Petitioners have in accordance with your Lordships' order delivered into his Majesty's stores 3,502 muskets, which complete the full number of 10,000, besides 1,057 pistols and 472 carbines, as appears by the certificate of the

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officers of the Ordnance, as yet unpaid for. In the whole work they abated 1,250*l.* of the prices formerly paid, in order that they might receive ready money and be freed from other charges. Your honours having now given an order for 2,000 muskets per month, petitioners have taken the work in hand, but cannot finish it, in regard their stocks are out and most of them poor men. They are informed that, since their last undertakings with your honours, 1,000 muskets were ordered for his Majesty's stores, the ready money for which was in the officers' hands. They requested to have the making of these, but were denied, the work being disposed of to their workmen, who had the moneys paid to them beforehand, which is a great discouragement to petitioners, and contrary to your intentions as they conceive. Pray that they may receive ready money for the work which they have already delivered according to your former order, and thereby be the better enabled to perform their last undertakings. [$\frac{3}{4}$ p.]

34. Memorial of the Company of Gunmakers of London [to the Lords]. Pray an order from the Council expressing the several sorts of muskets and how many they shall make of four feet and how many of three and a half monthly, as undertaken by them; also of what fashion the stocks shall be made, and to whom they are to look for payment. They desire that order may be taken for proving the muskets which are nearly ready, and for receiving them into his Majesty's stores, or where else they shall be appointed to be delivered; also that they may have order from the Lords to take up such workmen and materials as may be necessary for furtherance of the service. [$\frac{1}{2}$ p.]

35. Petition of Robert South, his Majesty's cutler, to the Council of War. The Earl of Newport conferred upon petitioner the furnishing of 4,000 swords for the service of his Majesty's late northern expedition, which he performed and delivered the same into the office of Ordnance. There being now further occasion for the use of such like swords, petitioner proffers his service to furnish the same or a greater number. [$\frac{1}{3}$ p.]

36. Petition of John Mansell, petardere, to the same. Petitioner was both engineer and petardere in the voyage to Cadiz and in the last employment, and is now appointed by the Earl of Newport to make ready the things belonging to the petards, in which he has been engaged these three weeks, but cannot perform his duty without some allowance from your Lordships or the Lord General. Prays the Lords to take order that he may receive his impress money, or else money from the Lord General, to maintain himself whilst engaged about his Majesty's employment, according to the allowance he had in the Cadiz voyage, viz., 6*s.* 8*d.* per diem. The King was pleased in the last employment to give the General of the Ordnance order to amend petitioner's pay in the field. Except the Lords take order for his relief, petitioner for want shall be forced to neglect his Majesty's service. [$\frac{2}{3}$ p.]

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37. Information touching Hugh Pyne, the lawyer, who, after the muster of the trained-bands in Somersetshire, expressed himself at a public meeting as opposed to the great charge to which the county had been lately put by reason of the general musters. "It is a thing," said he, "that must not be slighted over, for it shall be called in question; and the country is not thus to be charged upon men's pleasures and fancies." [1½ p.]

38. Certificate of Sir Francis Knollys that William Weston, of Newbury, and Richard Novis, of Tilehurst, co. Berks, were defaulters at musters. [½ p.]

39. Order of the [Court of Exchequer?]. There being a debt of 26,500*l.* depending in the great roll of the pipe against the Company of Starchmakers for the farm of all customs, impositions, and the sum of 10*s.* imposed upon every cwt. of starch imported, Mr. Procter of counsel with Arthur Collins, John Baylie, and others, members of the Starchmakers' Company, informed this court that under colour of the said charge they have been lately, by process out of this court, in their own persons molested and troubled; whereas by an indenture of 13th May, 20 Jac. I., it was covenanted that no part of the said rent or any moneys reserved or payable to King James or his successors should be levied or recovered [upon the members of the Company], but only upon the body corporate and politic of the master, wardens, and assistants of the Company of Starchmakers. [*Copy.* 1 p.]

40-41. Two other copies of the same. [1 page each.]

42. Petition of Francis Grove, Edmond Kennedy, Arthur Collins, Robert Hanmet, and the rest of the Company of Starchmakers to the King. Petitioners held the starch business for many years under grants from King James and your Majesty, and had expended on it near 500*l.*, when by sinister means Smith, Stockdale, and others, strangers to the business, obtained the same under pretence of bringing a greater revenue to the Crown. The parties above named having failed in their undertakings to your Majesty, and ruined the poorer sort of the old starchmakers, have petitioned your Majesty to have their rent abated and to surrender up their charter in order to have a regrant thereof at 5*s.* per cent. Petitioners pray that they being the old Company of Starchmakers may have preference over the new Company paying 5*s.* per cent., as offered by Smith, Stockdale, and others, and that your Majesty would refer them to the Lords for settlement of this business. [1 p.]

43. Petition of James Bowey to the same. Notwithstanding your Majesty's directions to the Lord Treasurer for payment of 775*l.* arrears due to petitioner of his pension of 100*l.* per annum, he has received as yet no part of the same. Has discovered 900*l.* collected long since for your Majesty's use, but never paid into the Exchequer, nor likely to be paid without this discovery. Prays order for a

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letter to the Lord Treasurer, willing him to cause a tally to be struck, and give a lawful discharge to the parties discovered in the annexed schedule. [1 p.] *Annexed,*

43. I. *Schedule setting forth that Thomas Trafford, senior, late Receiver of the King's revenues in North Wales, and Thomas Trafford, junior, are indebted to his Majesty 900*l.* collected by them in the six shires of North Wales for knighthood moneys, whereby their lands are extended at 100*l.* per annum till the debt be paid.* [$\frac{1}{3}$ p.]

44. Note of concealments of wardships with the amounts rated for surveys and fines in each case, ranging from 8 Jac. I. to 8 Car. I. [2 pp.]

45. Petition of Thomas Elliot, his Majesty's servant, to the King. Petitioner is heartily penitent for his giving your Majesty a distaste, being provoked unto what he did, for which he has most justly endured 16 weeks' exilement from the service of so gracious a master, being more grief to him than death, which will shortly be his conclusion unless your Majesty in mercy take some pity on him. Prays to be restored to favour, that he may give his attendance on your royal person. [$\frac{1}{2}$ p.]

46. Schedule of annuities and other payments made out of the Exchequer which do not immediately concern his Majesty's service. These are payable by the officers in certain places named, without the knowledge or consent of the Lord Treasurer and Under Treasurer of the Exchequer, to the great prejudice of the King's service, viz., out of the great customs, 4,290*l.*; petty farms, 1,000*l.*; import of tobacco, 3,500*l.*; sugars, 2,000*l.*; court of wards, 17,165*l.*; Duchy of Cornwall, 1,000*l.*; Receivers General, 1,807*l.*; new impositions, 4,767*l.*; pretermitted customs, 4,015*l.*; alienations, 2,500*l.*; recusants in the North, 1,820*l.*; and sea coals, 1,750*l.* Total, 45,614*l.* Besides divers other such like payments in other offices and places not here mentioned. Collectors of the new impositions, 1,966*l.*; out of the last new impositions, 5,000*l.* [1 p.] *Dorso,*

46. I. *Note of pensions and other moneys payable to divers persons named, among whom are Sir Richard Tichborne, 100*l.*; Lord Savage, 13*l.* 6*s.* 8*d.*; Lord Lindsey, 20*l.** [$\frac{1}{3}$ p.]

47. Note of the accompts of Capt. James Duppa, receiver of fines and rents of maltsters and brewers. Total of his whole charge, 14,728*l.* 3*s.* 7*d.*; from which deduct 3,000*l.* paid into the Exchequer, leaving 11,728*l.* 3*s.* 7*d.* Whereof due to Captain Duppa 400*l.* for two years' execution of his office; also he craves allowance of moneys unreceived, 7,029*l.* 9*s.* 1*d.*, for which he has made oath upon his several accompts, leaving due to his Majesty in the said accountant's hands, 4,298*l.* 14*s.* 6*d.* [1 p.]

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48. Particular of Sir James Bagg's estate and lands in Devon and Cornwall extended to his Majesty's use for the debt of 22,500*l.* 15*s.* 5½*d.*, the 4th of October and 8th of November, 14 Car I., as appears by inquisition in the Exchequer. *Of some of these demesnes it is observed*, "These lands are fit to be set in lease for five or six years until the times settle, and then may be sold for greater advantage than at present." [1 *p.*]

49. The like of the real estate of Marmaduke Darell, his Majesty's ward. *Underwritten*,

49. 1. *The King is indebted to the estate for money due for victualing the navy about 4,000*l.** [2 *pp.*]

50. Report of the Commissioners to the Lords upon the petition [of Elizabeth, widow of Sir Sampson Darell, late Victualer of the Navy], concerning exceptions taken upon petitioner's accompt [see Vol. cccxxi., No. 7 II.] of such demands as the Commissioners cannot give allowance for want of special warrant, and likewise what vouchers and reasons she produces for obtaining the same. [3½ *pp.*]

51. Warrant. Whereas his Majesty, for better maintenance of that worthy manufacture of making latten wire within this kingdom of England, by proclamation of 19th August 1638 absolutely prohibited the importation into England and Wales of any foreign latten wire upon pain of forfeiture, nevertheless great quantities of foreign wire have since been brought into divers ports and suffered to pass in the name of other goods, whereby the native manufacturer has been much injured. These are therefore to authorise Phineas Andrewes and William Rawlinson, of London, gentlemen, taking with them some of the King's officers, to go on board and search all ships and barks arriving in any harbour, and to enter into any house, warehouse, or other place where they may suspect any foreign latten wire to be, and make seizure of the same according to the proclamation, and then forward the same to the Custom House at London, when they shall receive 4*s.* for every cwt., or to have one moiety thereof. In the performance of which service all officers and subjects of his Majesty are required to be aiding. [*Half skin of parchment, unsigned and undated.*]

52. Petition of Allan and Katherine Boteler and their children to the King. In divers late petitions they have expressed their conceived right to the pin and wire business on which Katherine Boteler's father, Sir Thomas Bartlett, expended his great estate, and petitioners have almost ruined themselves for recovery of the same business, which your Majesty has now taken into your own hands. Petitioners having received an order not to trouble your Majesty more by their importunities until the business were settled, have ever since desisted from petitioning, but the business being now settled on undertakers for your Majesty, they pray that you will be pleased to declare what yearly proportion they shall have for the

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present, and what after Mr. Halsteed's debt or demands be satisfied, and what for their present relief; also that their disbursements about this business may be satisfied out of such suits as they shall find out and present to your Majesty; or else that you would refer the consideration of the premises to the Lord Treasurer and others to report on. Petitioners further desire that, if it may be thought convenient, their yearly portion may issue out of the customs of copper or wire, if any shall be brought in, and that order to this effect may be given to the Attorney or Solicitor General for preparing a book for the royal signature. [$\frac{1}{2}$ p.]

53. Order of the referees touching the manufacture of pins and wire. The difference between Allan Boteler, Esq., and James Lydsey, merchant, concerning the pin and wire business having been by mutual consent referred to our arbitration and award, we have after divers meetings in the presence of Lawrence Halsteed, Esq., ordered as follows: that the said manufacture shall remain wholly to Boteler, and that Lydsey shall deliver up to him all deeds and papers relative to the same; that Halsteed having disbursed divers sums of money, amounting to 28,000*l.*, for furtherance of this business, shall receive full satisfaction for his outlay, and this the rather as he entered thereinto upon command of the Queen's Majesty, as he asserts. It not being clear from the accompts that this whole sum was chargeable upon the pin and wire business, we order that 26,000*l.* shall be satisfied to Mr. Halsteed in the way here specified. We further order that the rent of 500*l.* per annum reserved to the Queen upon the pin and wire business shall be duly paid in future by Captain Boteler or his assignees as formerly it has been by James Lydsey, and that the 500*l.* payable to his Majesty's privy purse shall likewise be paid by Boteler so long as the prohibition of the importation of wire shall continue. The lease of the mineral and battery works to remain good to James Lydsey, who shall be relieved of all wire he may make, by Boteler purchasing the same at reasonable rates. If Lydsey shall not make serviceable wire or sufficient quantities thereof to serve the Company of Pinmakers or to keep the new stock complete, then Boteler to have liberty to import sufficient quantities of foreign wire for that manufacture. Lydsey shall also resign to Boteler the lease of the house now called Pinmakers' Hall, upon receiving satisfaction for his disbursements upon the same. Lydsey to assist Boteler with his best advice and counsel for the better managing of the business, when desired so to do by the latter. This to be our final order, and all questions that may arise to be referred to us for explanation. [*Draft in Sec. Windbank's hand.* 6 pp.]

54. MS. treatise illustrating the introduction of the manufacture of pins into England. *Incipit*: "This realm of late times was wont to be served with pins from France, Flanders, Holland, and Hamburgh, so that at last the English began to make that commodity. But in respect of the same then [not] being of the goodness of

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foreign pins, the English pinners could not vent theirs; and for the better utterance of their ware they were enforced to stick them in papers with foreign pinmakers' names and marks. When this new manufacture began to be in some request and order, then Sir Thomas Bartlett, now deceased, pretending the well ordering thereof, obtained a patent from the late King James for the sole making of that commodity in London and three miles compass thereof." The treatise is divided under the following headings: Inconveniences of a patent and the little need thereof stated. Benefit to the King by exportation of pins. Requests to be made to the King, viz.: That no custom be paid for the pins exported out of this realm, being the manufacture of natives. That no custom be paid for paper or for the dye to colour the same blue. That there be no impost for wire imported, till things be so ordered as that it be made here by his Majesty's subjects. Benefit to the subjects. Questions to be put to Mr. Bartlett. [56 pp., of which half are blank.]

55. Petition of the Company of Merchants Adventurers of England to the King. Your Majesty upon the company's late petition and submission declared your pleasure that petitioners should either pay the Duke of Lennox 2,600*l.* per annum for his patent for transportation of white undressed cloths, by half-yearly payments in advance, and entertain such servants as were formerly employed in this service by the late Duchess of Richmond and Lennox, or that your Majesty would leave his Grace and the company to the legal right of their several patents. Petitioners humbly acknowledge the favour of this liberty, and have at a very ample court of their fellowship dutifully considered what in so great a strait would be most fit for them to make choice of. If petitioners should agree to pay the yearly rent of 2,600*l.* with the two conditions thereto added, they are assured already of the loss of 800*l.* or 900*l.* per annum, besides the hazard of the daily decrease of the vent of white cloth beyond the seas, in respect the stranger is so intent upon making this sort of cloth himself; and petitioners, if they had dared, after their late dear experience of this patent, to have again adventured upon the bare rent of 2,600*l.*, had never been so bold as to have brought this trouble upon your Majesty, nor would his Grace, as they conceive, at that time have expected those other conditions from them; therefore they are necessitated rather to adventure upon the latter, although also they hereby foresee a great disturbance in the trade, and to rely upon your Majesty's interpretation what shall be understood in the future by the legal right of his Grace's and the company's patents. As for any legal right petitioners shall presume upon for their part, it can be no other than the favour and grace of your Majesty continuing that unto them which they have received both from you and your royal predecessors; and if after the prescription of almost two ages (although all other precedent patents were every way as large as this of his Grace) the Duke may now have liberty to grant his license to strangers or any other his

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Majesty's subjects besides freemen of the company, or even to any freemen but such as are subject to the government and orders of the fellowship, they must necessarily dissolve and lose those great privileges which by several treaties from time to time they have to their great charge and to the honour of the whole nation obtained and do still enjoy in foreign parts. Petitioners therefore beseech your Majesty to consider the weak estate of the fellowship, which makes them unable either to pay so great a rent or to subsist without your protection, they never more standing in need of encouragement than at present. For these respects petitioners are ready according to the usage of his Grace's patent to pay [for all the] cloth they cannot ship out upon their own license as is expressed herein, but do humbly beseech your Majesty that until there shall be found any just cause against the company they may duly, as ever heretofore, have the grant thereof, and that the letter of his Grace's patent may rather be understood as a means alway to incite the company to carry the cloth out themselves than to be made a door to the strangers to swallow up the remainder of this trade, or to a few licentious ungoverned traders to overthrow a company of above 300 years' growth. Petitioners, as in duty bound, shall daily pray for your Majesty's long and happy reign over them. [1 p.]

56. Petition of Gregory Jenner, of Colchester, Essex, baize maker, to the King. Petitioner for a long time has pondered how he might perform some service which in duty he owes by finding out something beneficial to your Majesty. Now, at last, he has found that thing which will not only be good and very profitable to your Majesty, as he conceives, but also good for many merchants and tradesmen, and beneficial to thousands of others your subjects, by preserving the health of many, and debarring unconscionable men of their practice, all which he is ready to discover at your command. [$\frac{1}{4}$ p.]

57. Petition of Andrew Bromhall, clerk, executor for his brother, John Bromhall, merchant, deceased, to the same. Petitioner's brother, while residing in the islands of Zante and Cephalonia, within the territories of the Duke of Venice, was employed as factor by the company of English merchants trading thither, by whose commission he there bought a great quantity of corinths, for which he became deeply engaged; and by reason of the company's not observing their own orders, suffered much damage both in his estate and credit, for reparation whereof he came over to England, and after a tedious solicitation of the company, despairing of satisfaction from them, addressed himself to your Majesty's late father, King James, who gave him letters to the Duke of Venice that justice might be done him and satisfaction granted out of the company's estate in those islands. The Duke granted him an impost of two dollars upon every thousand-weight of corinths exported out of those islands by the English until his claim should be satisfied, which money was, according to order, paid into the chambers of Zante and Cephalonia

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for his proper use and accompt, but since his death there remains in the said chambers a considerable sum due to him, as appears by their own accompts, the payment of which is refused. Petitioner conceiving that there is no reason why the moneys received to the use of your late subject, John Bromhall, should be converted to any other purpose than that of petitioner, who is now legally interested therein, prays letters to the Duke of Venice requesting speedy payment of the same to petitioner or his attorney, Thomas Atcherley. [$\frac{1}{2}$ p.]

58. Petition of the Company of Saltmakers of Great Yarmouth to the King. Your Majesty having lately incorporated petitioners for the erecting of saltworks according to the new invention of Nicholas Murford, and for regulating the trade thereof, by their charter there is reserved to your Majesty for ever 10s. upon every wey of salt sold for home consumption, and 3s. 4d. for the fishery, which within these three or four years is likely to yield to the Crown for ever a certain yearly revenue of 40,000*l.* or 50,000*l.* at the least, if petitioners may acquire and transport coals from Newcastle for their manufacture as free from impost to your Majesty and the town of Newcastle as the saltmakers at Newcastle and Hartlepool have theirs, which privilege petitioners conceive they ought to have by virtue of their charter, or at leastwise by your gracious promise and intention in that behalf. Petitioners take notice of your intention to restrain the buying and shipping of any coals from Newcastle under the rate of 12s. the chaldron, being 2s. 3d. more than the saltmakers of Newcastle or Hartlepool pay, the latter being exempted by former grants from the Crown, so that petitioners and all other adventurers to be admitted by them for the making of saltworks will be greatly disadvantaged and discouraged. Pray that there may be inserted in the intended letters patent a clause absolutely exempting petitioners from such restrictions upon their giving security that the coals shipped by them are to be spent solely in that manufacture. [1 p.]

59. Petition of Sir Nicholas Halse to the same. Petitioner and others having discovered a new invention for composing malt kilns, for the sole using whereof petitioner had a grant about 14 years since from King James, certain maltsters conceiving how useful the new invention might be to them desired to be incorporated, and that none might participate in these privileges unless they compounded for the same, whereby great sums of money would accrue to his Majesty's coffers, prays a reference to some of the Privy Council. [$\frac{2}{3}$ p.] *Written within,*

59. I. *Petition of certain maltsters to the same. Sir Philiberto Vernatti, Sir Nicholas Halse, John Battalion, and others, having a new invention of composing kilns for drying malt, to be done with wood, coal, turf, or such other fuel as each place may best afford, pray an incorporation of all the maltsters of England and Wales, and to ordain Sir Philiberto, Sir Nicholas, and John Battalion the first*

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master and wardens thereof, with power to compound with other maltsters for the use of the said invention. [Subscribed by 92 persons. Copy. 2 pp.]

60. Copy of the preceding petitions of Sir Nicholas Halse and the maltsters, but without the names of the latter. [= 2 $\frac{3}{4}$ pp.]

61. Petition of the Company of Distillers of London to the King. Your Majesty having incorporated petitioners into one entire body politic [9th August 1638], and resolving to establish the same by enrolling them a free corporation of London, did signify your pleasure both by charter and by letters dated 21st August [1638] to the Lord Mayor and aldermen of London; but receiving no satisfaction therein, you were pleased, by a second letter of 7th December [September?], to declare that without dispute or delay you expected the accomplishment of these your commands; whereupon, some particular companies assuming more power than was ever intended them, petitioned the Lords [see Vol. cccxcix., No. 65], who, by an order of 24th October [1638], did compose those differences [see Vol. cccxcix., No. 67]; nevertheless, certain violent persons, for their private ends, so incensed the Lord Mayor and aldermen against petitioners, that they presented their causeless complaints to your Majesty [see Vol. ccccxii., No. 27], whereunto you gave answer, 4th February [1639], that unless they speedily produced more considerable reasons they should forthwith enrol the charter and company according to your former commands. The Lord Mayor and aldermen have hitherto been so far from doing either that they daily admit of any frivolous allegations that can be raised against petitioners and their enrolment merely for the sake of delay, for they neither have nor can have any real thing worth presenting in opposition to a corporation so inoffensive as this is. The favour desired is no other than such as the corporation of London at their pleasures usually confer on all companies free of London, without any solicitation or royal commands. Petitioners pray his Majesty to declare that he will not admit of any further questions, suits, or delays, in opposition to his former commands; and to grant his royal warrant to the Lord Mayor and aldermen, enjoining them, upon sight thereof, immediately to give order and cause the said charter to be enrolled. [1 p.]

62. The Distillers of London to the same, presenting their answer to the petition of the Lord Mayor and aldermen of London [4th February 1639; see Vol. ccccxii., No. 27]. The Company of Distillers of London consist of near 300 persons, not one third of whom are freemen of the city, and those members of at least 24 several companies. Not 30 have any connexion with the 12 ancient great companies, and not four of those 30 so able in estate as to be admitted into their livery. For the public charge it is for the most part disbursed out of the revenues and profits of the companies in general, and not borne by particular members, which revenues and profit

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remain entire to those companies for ever, notwithstanding such enrolment. Besides, if such enrolment of new companies be of such ill consequence as is pretended, why then does the city so frequently admit companies of far less consequence to his Majesty and the commonwealth than the distillers are to be enrolled without such opposition? The particulars premised, how then can this enrolment desired so weaken those companies or their succession as is suggested, their members being so numerous that one of these companies would make six companies as great as the distillers? As for the vintners and wine merchants, they have not been known to profess distilling hot waters at all, and not many of them have practised making vinegar; besides, there is no reason why they should be debarred from doing the same still, so that they be conformable to order, as the distillers must be. For the barber-surgeons and apothecaries, they lately preferred their complaints against the distillers to the Council [see Vol. cccxcix., No. 65], and after the hearing of their case were ordered by the Lords to practise distillation so far only as concerned themselves in their several trades, and the distillers to enjoy their proper trade, as by the said order appears. Represent the small cause of exception there is against their proceedings and the execution of the royal commands for their enrolment, this being the life of their charter; also the great discouragement of the company and interruption of a trade so much tending to his Majesty's profit and the public good. Pray that his Majesty would not admit of any further hearing or delay, but order that the Lord Mayor and aldermen forthwith put in execution the royal commands formerly signified touching the distillers. [1 p.]

63. Petition of Peter Civil [Pierre Civel] and Joseph Atkinson, your Majesty's servants, to the King. Civel, at the request of the latter petitioner, your Majesty's milliner, whose poor workpeople, the glovers, had for many years been abused in the badness and dearness of kid skins, procured a grant from the King of France for the sole transportation of kid skins, upon Civel relinquishing his pension, which he received from that King for former service. Petitioners and their company have already advanced 3,000*l.*, and engaged themselves in bonds of great penalty for receiving the skins, which they intend to sell "better cheap" than these commodities have been sold of late years. In consideration of their service done to your Majesty and your royal consort, petitioners pray the grant of a patent under the great seal for 31 years for importation of all kid skins into your dominions, paying a rent into the Exchequer of 200*l.* per annum for the same, and that order may be given to the Attorney or Solicitor General to prepare a book for signature. [$\frac{3}{4}$ p.]

64. Petition of the Starchmakers of London to the same. Your Majesty was pleased to incorporate a company of starchmakers, and granted a commission to the Lord Privy Seal, the Earl of Dorset, the Lord Chief Justice, and divers others for reforming and punishing

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of abuses that should be committed by that company or any member thereof, for which petitioners pay your Majesty a great rent. Represent that Robert Smith, a bricklayer, and Leonard Stockdale, pasteboardmaker, poor discontented persons, have been great offenders, and have lately served petitioners with subpoenas to appear in the Star Chamber. Pray that, being a very poor company, not able to defend themselves at law without their utter ruin, you would refer the examination of this business to the above-named Lords Commissioners, and that they may report to your Majesty whether there be cause to prosecute them in the Star Chamber, which, if they have deserved, they most humbly beg your pardon. [$\frac{1}{2}$ p.]

65. Petition of Philip Earl of Pembroke and Montgomery, Lord Chamberlain of the Household, on behalf of himself and the Association of Fishing, to the King. Petitioners have for seven years with great labour and cost prosecuted the fishery according to those motives which your Majesty proposed in your first institution of the same, and have now attained to the art of taking and curing herrings, making nets, cask, and busses, and have found out the foreign vent, whereby all sorts of people may have employment, the traffic of this kingdom greatly enlarged, mariners and shipping increased, and great profit redound to the adventurers when you shall please to make it a national work. Forasmuch as petitioners have spent all their stock in prosecution of this service, part being taken away by the Dunkirkers, they cannot furnish their magazine with nets, salt, cask, or other provisions, without some present restitution for their great injuries and losses, and protection from the Dunkirkers for the future. Pray order to the admiral for bringing in such Dunkirk men-of-war as shall come into any of your Majesty's ports with their prizes, until restitution be made of the sum of 5,000*l.*, also the grant of a standing lottery for refitting their stock and increasing the fishery, the same being advised by very knowing and well-affected persons. They farther request that the herring fishing may during the time of its infancy be freed from paying all manner of duties, so that the adventurers may recover their damages and losses and be enabled to subsist of themselves; that the poor people and vagrants in and about the city may be set on work in beating and dressing hemp, spinning twine, and braiding of deepings for the nets; that the Trinity House may appoint a convenient place for the fishing busses to ride in safety, for preventing of damages, which are now continually done to them in the river; that in regard the navigation will greatly increase, and that the victualing of the mariners and fishers may not grow to extreme rates, it is desirable that the good statutes of this kingdom be duly and strictly executed for the use of fish in this kingdom, especially by all sorts of victualers who may be enjoined to provide fish, if not two days, at least one day a week, and the fines on the trespassers to redound to the Royal Fishings. [1 p.]

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66. Petition of Jacob Bodendicke, a German, to the King. Petitioner, a silver worker born in the city of Limburg, under the Duke of Brunswick, being desirous to spend the remainder of his days in this kingdom, has procured employment as a workman under your Majesty's jewellers. Prays a grant of denization. [$\frac{1}{3}$ p.]

67. Petition of Francis Chapman, of London, goldsmith, to the Council. Petitioner under a Council warrant is kept close prisoner in the custody of a messenger, and his books of accompts detained, so that he is like to suffer greatly both in his estate and reputation, his business being at a stand. Prays order that he may have his books and enjoy his liberty, putting in security for his appearance and the production of the books when required. [$\frac{1}{2}$ p.]

68. Petition of the Company of Vintners of London to the same. Petitioners to advance his Majesty's service, at the importunity of the French and Spanish merchants, agreed to take of them yearly 9,000 tuns of wine, viz., 5,000 tuns of French and 4,000 tuns of Spanish, as by indenture made between the said merchants and petitioners appears. The merchants trading to Spain having no company, 66 of them were nominated in the indenture, and only 20 subscribed. These now desire the whole 4,000 tuns may be taken solely from them, contrary to the true meaning of their contract, which stipulated that the 4,000 tuns should be taken of all the merchants nominated in the indenture. Seeing it is the Lords' further pleasure that those wines lately tasted and touched by petitioners be taken off from those merchants who have subscribed the indenture, being 1,407 butts and pipes, although it be a heavy burden and certain loss to petitioners, they are content to perform the same, the Lords promising that no more Spanish wines shall be put on them to be taken off this year, and that all retailing vintners in London and three miles round, whether free of this company or any other, shall take off such equal proportion of those wines as shall be reasonably allotted on them. [2 pp.]

69. Another copy of the same. *Endorsed*: "Humphrey Broughton of Ockingham [Ockham in Surrey?]." [2 pp.]

70. Statement of the case between the Vintners and Wine-coopers of London. The objections of the vintners are stated in the left-hand column, and the answers of the coopers opposite. Underwritten are further reasons and considerations on the coopers' behalf. So the coopers neither transgressing the privileges of the city nor exceeding the ancient lawful limits of their trade, but performing sundry duties to his Majesty and the public, humbly pray that they may enjoy the same in their former course, and that the order of restraint against them [for selling wine] may be dissolved. [= 2 pp.]

71. Articles apparently drawn up by Mr. Meautys, clerk of the Council, stating the claims of the vintners, merchants, and coopers

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respectively, and the privileges formerly enjoyed by each in the wine trade. [*Written in form of a broadside.*]

72. Petition of John De la Barre, of London, merchant, to the Council. By a statute privilege liberty was given for the transportation of wheat when not exceeding 26s. 8d. per quarter. It is now from 20s. to 22s., but petitioner will not in these troublesome times offer to transport without license. Prays license to transport 1,500 quarters of wheat for Venice or Genoa, paying custom and duties. [$\frac{2}{3}$ p.]

73. Petition of Charles Driver and John Witt, of Bristol, merchants, to the same. The Lords gave liberty for the exportation of corn, being within the prices limited by the statute; whereupon petitioners contracted for about 200 lasts of wheat and 300 lasts of barley and barley malt to be exported to Ireland. Subsequently a warrant of restraint was sent to that port, so that petitioners are like to suffer great loss. Pray license. [1 p.]

74. Petition of Bartholomew, son of Christopher Hunt, deceased, embroiderer, of London, to the same. Petitioner's father, after much labour and expense, found out a new invention for embroidering or huffling gilded leather fit for hangings and other household stuff. The King, to cherish his laudable design, granted to petitioner's father a patent for the sole employment of this invention for 14 years under a reserved rent. Prays the Lords to express some penalties against such as intermeddle with this invention contrary to his Majesty's pleasure expressed in his letters patent. *Underwritten*, "Nil" [1 p.]

75. Petition of Richard Hollworthy, merchant, of Bristol, to the same. In August petitioner sent a bark named the Vine from Bristol to Bilbao in Spain under Thomas Wilde as master, who caused her to be laden with iron nails, horse-shoes, and hoops for pipes, to be transported thence for Malaga. While on her voyage to Malaga, the ship was surprised off the coast of Portugal by a States' man-of-war, whereof was Captain John Lumbertson, who forcibly seized her lading and victuals, value 350*l.*, with some of her crew, and so turned her off, to the damage of 250*l.* more, carrying the aforesaid goods to Amsterdam, where they were lately landed. Prays the Lords' letters for his relief. [$\frac{2}{3}$ p.]

76. Petition of the same to the same. To the same effect as the preceding. Prays the Lords to direct their letters to the English ambassador at the Hague, desiring him in petitioner's behalf to sue in the Admiralty Court there for recovery of the goods seized in the Vine by the States' man-of-war. [*Copy.* 1 p.]

77. Petition of John Carnaby and John Blumfield to the same. Petitioners are owners of the common passage hoys between Ipswich and London, which in regard of the present restraint are

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stayed at Harwich. Those vessels being laden with butter and cheese, commodities subject to sudden spoil, some for the King's service and the rest for the city, petitioners pray that they may forthwith be discharged and have free passage upon security given for delivery of these goods at London. [$\frac{1}{2}$ p.]

78. Petition of Robert Ellis and others, being masters and owners of colliers, to the Council. In order to perform your commands, petitioners have hazarded their liberties and ships to fetch coals, some whereof procured their lading at extraordinary charge, others returned with half their lading, and many were forced to take in ballast, they being threatened by Sir Jacob Astley that if they would not depart their ships should be fired. Pray the Lords to afford them such a considerable price for the coals they have now here [in London] as may in some sort equalize their adventure and peril, they having gone for them at your Lordships' command. [$\frac{1}{2}$ p.]

79. Petition of Thomas Alkin to the same. Petitioner has been much wronged and oppressed by the Company of Merchants of the Staple both in his estate and good name, which has been the cause of his utter ruin. The particular grievances under which he groans are too long to be here related, and he is remediless by reason of the potency of the company, unless the Lords' favour be extended to him according to their accustomed clemency. Prays that, forasmuch as his complaints are of several natures, as well touching his Majesty as himself, the Lords would refer the hearing and examination to such persons as they shall think meet, upon whose certificate the Council may vouchsafe to censure and decree as the enormity of the offence and petitioner's sufferings shall appear to have deserved. *Underwritten*, "Nil." [1 p.]

80. Petition of Henry Horsfield to the same. By his Majesty's proclamation of 5th May 1639, no fuller's earth or tobacco-pipe clay was permitted to be waterborne or transported in anywise. The King and the Lords being informed that the charge of land-carriage of the said earth to York would nearly surmount the price of the cloth [to be bleached], and so ruin the mill-owners, fullers, and clothiers in that county, they were pleased to dispense with the proclamation, and gave order that, upon petitioner with three others giving bond in 1,000*l.* that no portion of such fuller's earth shipped for York should be exported into foreign parts, that 120 chaldrons of wet fuller's earth might be waterborne to the ports of Hull or Turnbridge in that county. Petitioner by virtue of the said order, on the Lord Treasurer's warrant, did ship from Rochester 99 loads of fuller's earth, and brought the same to Hull. Very lately another bark has arrived at the same port with fuller's earth, unknown to petitioner from whence it comes, and without license; in consequence of which importation petitioner cannot reimburse himself by sale of his earth the necessary charges. Prays that John

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Holmes, the master or owner of the Yarmouth hoy which brought this fuller's earth, may be required to attend the Board to signify from whence he received the same, and by what order, so that he may be punished for transporting it without license; also that the earth may not be carried from Hull, but disposed of there by the mayor and the deputy of the Merchant Adventurers there residing. [1 p.]

81. Petition of certain baize-makers of Coggeshall, Essex, creditors of John De la Barre, merchant, to the Council. Represent that De la Barre about two years past owed to petitioners 1,700*l.*, and having his Majesty's protection conveyed away his estate except some money due from his Majesty, who thereupon gave leave for petitioners to take course against De la Barre for their reasonable satisfaction. After several hearings before the Board, when it was found that about 2,300*l.* was due from the King to De la Barre, petitioners agreed to accept half of their debt, and order was made (31st May 1637) for 850*l.* to be assigned to them out of such moneys. De la Barre thereupon made over to them three bills on the office of the Navy, but the Lord Treasurer refuses payment without special order from the King, alleging that the Lords' order was not sufficient for him to act upon, one of these bills being for freight of ships. Petitioners are so disabled by reason of their losses, not only by De la Barre, but by two other merchants, Messrs. Oxwick and Atty, that they must sink under the burden, unless they find speedy relief, thus throwing out of work thousands of poor people who depend upon them. Pray payment of these bills assigned to them, being for 541*l.* [1 p.]

82. Petition of Edward Beard, Gabriel Bonner, and William Fisher, grocers and citizens of London, to the same. By warrant from your honours, petitioners are attached and in the messenger's custody. Pray to be admitted to answer immediately to the objections against them, or else to be released upon bail. [$\frac{1}{2}$ p.]

83. Petition of William Harris, William Wilson, and John Swale, of London, cheesemongers, to Lord Treasurer Juxon. Offer it to his Lordship's consideration whether butter and cheese for the King's service could not be secured better cheap by appointing victualers to provide sufficient quantities at fixed prices than can be obtained, if the market be free and open; also whether such an open and free market may not disadvantage the soldiers and occasion a dearth through deficiency and uncertainty of supply. If his Lordship should resolve on the former way, petitioners desire that they may have the contract, for that they drive as considerable a trade and are as able to make provision as any other men, and for that some of them did service of the like nature in the last expedition. [$\frac{1}{2}$ p.]

84. Order of Council. The Lords being informed that the deadness of trade in London and the small vent there now is for cloth and woollen manufactures made in the west of England, are the

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causes that the trade of clothing begins to slacken in the western parts, and being desirous to remedy the same, have this day ordered that Lawrence Whitaker and Mr. Wiseman, Remembrancer of the city of London, be required to examine and see, as well on market days at Blackwell Hall as on other occasions, and likewise by inquiries of the principal merchants, how cloths and woollen manufactures do vent, and what stop or hindrances there are in the sale of such commodities, and to certify the same to the Board weekly, together with their opinions thereon, and what they shall understand to be a fitting means for redress. [*Draft. 1 p.*]

Edward Nicholas to [Sir Robert Carr?]. I received your letters with the draft of the assurance for an allowance for your children's maintenance. You will receive under their own hands the answer and order of the Lords referees. I assure you they were so far from being satisfied with what you wrote, that I was very glad I had the deed to show you were not refractory, though you had not so fully answered their expectations in a matter that so well became your fatherly affection to be forward to take care of. When you shall have all their Lordships' orders concerning your lady and the children performed, which I am confident none who wish well to your person, posterity, or estate will advise you longer to defer, I doubt not but you may put yourself into a surer and more direct way for your own contentment and happiness every way than I have yet perceived you have walked in or been advised unto. Thus much I take the confidence to write unto you in answer of your letters of the 26th and 27th of the last month. [*Written on the back of the preceding. Draft. 1 p.*]

85. Petition of Thomas Langhorne, patentee for the sole retailing of tobacco in Penrith, Cumberland, to the Council. By virtue of a Council warrant, petitioner attached two rolls of ordinary tobacco, which William Sympson exposed for sale in Penrith, but the latter refusing obedience to the warrant he was compelled to seize the tobacco. Thomas Garth, an attorney, has commenced a suit at common law in Sympson's name against petitioner, and intends to bring the matter to trial at the next assizes for Cumberland. Represents that he has received very much loss and prejudice by the private sale of tobacco in Penrith by interlopers and strangers, whereby he is disabled to pay the King's rent. Prays the Lords to send for Sympson and Garth, and enjoining a cessation of any further prosecution in the said suit, to inflict such condign punishment for the wilful contempt of their warrant as in their wisdoms shall seem meet. [$\frac{1}{2}$ p.] *Annexed,*

85. 1. *Copy of the Council warrant above referred to.* [$\frac{2}{3}$ p.]

86. Statement of the case of Rowland Baskefield, of Fleet Street, grocer, taken into custody by Alexander Easton, a messenger of the chamber, upon a Council warrant, for retailing tobacco without license. After being in custody about three weeks Sir William Beecher gave

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directions that Baskefield should be carried before the Commissioners, and was required to pay 50s. as fees. The case being brought into the Exchequer by Baskefield, the King's attorney and counsel were made acquainted with the circumstances by Easton, and said that the Lords' warrant was sufficient to bear him out, and so Easton concluding that the Attorney-General would move the Barons to throw the suit out of court, went on his journey into the North about the King's service. Whilst Easton was absent, Baskefield with a sergeant came to his house, and being refused entrance, broke open the door, saying to Easton's wife that they had an execution out of the Exchequer for her husband for body and goods for 14*l.*, for false imprisonment of Rowland Baskefield. Easton's wife paid the sergeant and Baskefield the 14*l.* 1*s.* demanded with a great deal of disgrace, for the people did so flock about the door that Easton's disgrace is far greater than the [loss of the] money paid, and he is now threatened by others to be served in the same kind. [1 p.]

87. Certificate of Lord Goring, Charles Franckland, and Samuel Bland, Commissioners for the tobacco business. Pray the Lords to grant a warrant for apprehension of the persons named, being 22 in number, residing in Surrey, Herts, Middlesex, and London, who in contempt of his Majesty's commission refuse to appear upon their summons. [$\frac{3}{4}$ p.]

88. Notes of evidence in the case of William Guy, haberdasher, who was in custody for the space of 16 months for sale of prohibited cards, which cards were seized by direction of Mr. Squibb, a patentee and commissioner for examining witnesses touching prohibited cards. [$2\frac{1}{2}$ pp.] *Underwritten*,

88. I. *Notes in refutation and explanation of the above.* [=1 p.]

89. Reasons moving the artisan skinnners to seek for relief in their trade by the sole buying of grey coney skins and morkins, tawed and raw, for consumption in England and for exportation. *In margin*, "Notes of questions required to be answered in explanation of the above reasons." [=1½ p.]

90. Complaints of the English merchants trafficking through the Sound to the ports on the Baltic, arranged in the form of articles. That the roll or tax of tolls agreed upon is not published at Elsinore, according to the 4th and 19th articles of the concordats set down in the treaty of commerce. That the English cloth ships which passed the Sound and were despatched from Elsinore the 11th May [1639] were forced to pay the full tolls of the year 1638, contrary to the treaty. After Mr. Vaughan arrived at Elsinore, and petitioned that the roll or tax might be published, another roll of higher rates, almost according to those of 1638, was set up. Detention and overcharge of Thomas Marsh, an English skipper. Complaints of extortion against Herman Holste, of Elsinore. [1 p.]

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91. Memorandum showing that Sir William Spencer, Bart., Sir Leventhorp Franck, and Mr. Leake are to pay to petitioner 8,000*l.* secured upon their lands, besides other sums, none of which can be recovered without petitioner's personal solicitation. Petitioner is sued for Sir John Smith's debts for which he has become bound. His own debts, being for the most part taken up for his necessary employment in his Majesty's service, amount to 7,000*l.*, for which there is raised 2,000 marks per annum, paid into the Exchequer. [1 *p.*]

92. Information against certain persons named, resident in the village of Kilsby, near Daventry, co. Northampton, headed, "Disloyal and seditious words of certain Nonconformists against his Majesty's proceedings about the ship-money and the Scots' rebellion." Since these persons heard I intended to inform against them they have paid their ship-money, but, notwithstanding, I thought it my bounden duty to discover their disloyal words and presumptions. [2½ *pp.*]

93. A political squib addressed to the Council, and headed, "Reasons that ship and conduct money ought to be paid." First, for setting up of the mass and maintaining idolatry as it is begun, but not yet, as was intended, brought to perfection, praise be to God and the Scots, whom he has made an instrument. That the Pope's nuncio takes, and has these five years taken, great pains in perverting his Majesty's simple subjects, who herein is weekly at very great charges in sending to Rome for a cartload of the wood of holy cross, and many old horses' and dogs' bones and teeth, which he sells dear enough; but that cannot defray him and his great train, for he sends every week a packet of all the affairs here to Rome; he must be well rewarded of ship and conduct money. The friars of Somerset House, who labour in distributing those relics for many private masses, and for keeping bastards, one in Dunhill Alley and four in Drury Lane, besides seven or eight in St. Giles', must have ship-money to keep them, and pay the nurses. Sir John Wintour [Secretary and Master of Requests to Queen Henrietta Maria], whose kindred were some of the chief actors of the Gunpowder Treason, and Sir Toby Matthew, do countenance the matter very well, and we must needs go against the Scots for being not idolatrous, and will have no mass amongst them, yet conduct and ship money must be had to go against them to reduce them to some obedience. The Queen mother, wheresoever she has been, there could be no peace nor tranquility, yet ship and conduct money must be had to keep her and all her "chaggraggs." That it is not permitted to talk of a parliament to redress these abuses, nor to hear the Scots, but ship and conduct money are the sinews wherewith we must go to war against them. And the Papists in the meantime do make a laughing-stock of us; and, indeed, the captains and lieutenants must be all Papists, for none will go but them. Therefore, we brave soldiers and boys intend to "unwroote" [uproot] the doggish friars of Somerset House upon Thursday next. Leave this where you find it. [1½ *p.*]

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94. Memorandum concerning ship-money. It appears by the Lords' letter of November [1638] that the sum in arrear was 468*l.*, part whereof is in the charge of the bailiff of Westminster, the Lieutenant of the Tower and Minories, or one of them. There is received and paid to Sir William Russell by the late sheriff of Middlesex for the year 1638, 43*l.*, in part of the arrears in his charge. There are many citizens and others having houses or land in Middlesex, but not resident in winter, on whom the sheriff has no power to distrain. Divers distresses taken now remain unsold. Some collectors refuse to make return of their warrants, or to account with the sheriff for the money in their hands, and some refuse to pay in the money assessed upon themselves. [1 *p.*]

95. Petition of George Viscount Chaworth to the Council. Petitioner was made sheriff of co. Nottingham in August last [1639] upon the death of his father, who during the time of his shrievalty had levied so much of the ship-money charged upon that county for the year last past, as he was able to do without force. Petitioner by his great labour and charge has levied all the residue save 200*l.*, which remains unpaid by reason he cannot as yet find upon what persons or places to charge the same, his father trusting much to his memory. Prays further time or an allowance of the charges he and his late father have been at in levying the ship-money, and in his zeal towards his Majesty's service he will presently pay the rest. [$\frac{2}{3}$ *p.*]

96. Petition of Arthur Dakins, servant to Henry Coghill, of Aldenham, Herts, to the same. Petitioner by your Lordships' most just order was committed to the Fleet for rescuing a horse of his master's, distrained for ship-money, since paid. Prays to be released, promising never to commit the like error again. [$\frac{1}{2}$ *p.*]

97. Petition of Lady Elizabeth Camden, widow, to the same. Petitioner living in the city is there charged 60*l.* towards setting forth of the ships, to which laudable work she is most willing to be as forward as any of her rank, but since no resident in the city, nor hardly three aldermen there, are charged so much as she, although a widow left with a divided estate, she conceives that she has hard measure. Appeals for redress to the Lords by what way they shall think best. [$\frac{1}{3}$ *p.*]

98. Petition of George Watkins, bailiff of Burford, co. Oxford, to the same. Petitioner having been sent for about ship-money, states that he has paid all that ever was charged upon himself, and has done his diligent endeavour to gather in the money of the whole town, and has taken distresses, so that there is not above 8*l.* behind. For that he will do his utmost endeavour for gathering in the remainder, prays to be discharged. [$\frac{1}{3}$ *p.*]

99. Petition of William Dumbleton to the same. About Michaelmas last the servants of the late sheriff of Oxford distrained the goods of Thomas Baynard for ship-money, petitioner standing

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looking on, but took no part in the rescue ; nevertheless he was sent for by a Council warrant, and remains in custody of a messenger, to his great charge and prejudice. Prays to be discharged, being heartily sorry that he has incurred the Lords' displeasure.

100. List delivered by the sheriff of Oxford of the names of delinquents to be sent for by Council warrants for rescuing the distresses taken for ship-money. [$\frac{2}{3}$ p.]

101. Petition of the inhabitants of the towns of Whittlesey, Doddington, and Chatteris, in the northern division of the hundred of Witchford, Isle of Ely, co. Cambridge, to the Council. The hundred of Witchford comprises twelve townships, six being in the southern division, the three above named in the northern, and three others situated within the privilege of the town and University of Cambridge, being thereby exempted from contribution towards his Majesty's provisions. The townships of the southern and northern divisions of the hundred have always heretofore borne an equal proportion, as well of his Majesty's provisions as of other general charges indifferently rated upon the whole hundred. That the sheriffs and chief officers of the county in the late assessments have unequally rated petitioners to the ship-money and coat and conduct money for the soldiers, almost half the sum required being imposed upon the above-named townships. Petitioners have prayed redress from the sheriffs and magistrates of the county, but finding the unequal rates continued, the ship-money being rather increased than lessened, they are compelled to appeal to this honourable Board. Pray the Lords to give order that these three townships may be rated as a third part of the hundred in the payment of the present assessment for ship-money and of other general charges, or else that a perfect survey may be made at the charge of the hundred, and the rates thereupon settled in such manner as to your Lordships shall seem agreeable to justice. [$\frac{2}{3}$ p.]

102. Note of ship-money charged upon the maritime ports and the several counties of the kingdom by virtue of his Majesty's writs issued in the years 1634 to 1639 inclusive, showing the sums charged, the amounts paid in to the Treasurer of the Navy, and the arrears for each of these years respectively. Totals for the six years, assessed 1,028,702*l.* ; paid in 716,528*l.* ; arrears 242,712*l.* [*Damaged by damp.* $\frac{3}{4}$ p.]

103. Note of arrears of ship-money remaining to be collected in Hants. [= $\frac{1}{2}$ p.]

104. Certificate of the Constables of the hundred of Houndsborough, co. Somerset, of the grounds on which they assessed Henry Hodges, late sheriff, at 10*l.* to the ship-money, he being reputed a great monied man, although having no land in this hundred and very little in the county. [$\frac{1}{2}$ p.]

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105. Certificate of Willfride Sanderson, late mayor of Ripon, co. York, for 40*l.* appointed to be assessed in that borough towards the furnishing of two ships of 600 tons. Of this sum 32*l.* is paid in to the Treasurer of the Navy, and the remaining 8*l.* has been intrusted to William Markenfield to collect. Divers persons, as namely, John Newton, Christopher Browne, and William Leodum, have had their goods distrained, yet refuse to pay their several assessments, but have commenced suits in several courts against those who distrained the same according to his Majesty's commission. Sanderson desires to be protected against these suits.

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1. Certificate of the lords, baronets, knights, esquires, and divers gentlemen on the behalf of themselves and other the inhabitants of co. Chester to the King. May it please your Majesty to be advertised that by statute of 33 Henry VIII. it was enacted that the sheriff of co. Chester should keep his shire court in the shire-hall every month, which has ever since been performed, and writs of justices have usually been granted out of the Chester Court of Exchequer to the sheriff authorising him to hold plea of all debts above 40*s.*, whereby the inhabitants of the said county enjoyed great ease and benefit, for that upon these writs there was quick proceeding, and debts there recovered in shorter time and at less charge than in any other court within that county, which custom we know to be true, for that many of us have been sheriffs and had the same writs passed in our times of office, which course has so continued until of late time; that upon some surmises these writs have been denied by reason of an order lately made in the Court of Exchequer of Chester, that no justices' [writs] shall be granted but upon caution first given upon oath to that court, that the party against whom the same writ is desired is about to remove his goods out of the county. We the undersigned do certify your Majesty that your subjects inhabiting co. Chester are in effect deprived of the superior facilities of this county court if the said order continue in force [*Written in form of a broadside and subscribed by 115 persons.*]

2. Petition of Marie le Ruez, wife to Nathaniel Vibert, of Jersey, to the same. Petitioner's husband being aboard a merchant bark, bound from Jersey to St. Malo in Brittany, was made captive by a French pirate, which roving about the coast of Jersey effected a landing, when the pirates forced petitioner's husband to go along with them to plunder the house of Heliary le Mountais, situated near the coast, and then put him ashore on another island, where they left him after much cruel and barbarous usage. Her husband then coming back into Jersey was apprehended by the officers of the parish of St. Brelade and committed to prison, where he remains in danger to lose his life, the law being such, if his Majesty's pardon

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be not extended to him, for which she earnestly supplicates, her husband having never heretofore been questioned for any fault. [1 p.]

3. Petition of Henry de Vic to the King. That George Fashion, late seignior of Anneville in Guernsey, being a near kinsman of petitioner, did of late years make away with divers fiefs and other parcels of land and revenues depending on the said seigniory, leaving at his death his only son and heir, Thomas Fashion, scarce anything to succeed to besides the bare title of that seigniory, which for want of means to sustain his rank Thomas is now about to sell to strangers, to the great prejudice of petitioner and others, the whole island suffering in the dismemberment of a royalty which under your Majesty is the first in Guernsey. Petitioner being bound to a continual attendance upon your Majesty, beseeches you to lay your express commands upon the bailiff of Guernsey or his lieutenant not to permit the sale of the said seigniory to pass without petitioner's knowledge, but in case Thomas Fashion shall through his necessity or otherwise make the same away, that petitioner may not only be preferred in the buying of it, but have power to redeem such fiefs and pieces as once appertaining to the same have been any way dismembered from it during your suppliant's employment abroad in your service. [1 p.]

4. Petition and demonstration of the inhabitants of the Isle of Guernsey to the Council. Represent that the jurats of the island by ancient charters and customs ought to determine all matters of justice, suits, and controversies in open court, without taking anything at all of the inhabitants. Notwithstanding which ancient and good constitutions, there has been of late brought in a new kind of proceeding, both dilatory and very chargeable to the inhabitants, most matters being referred to arbitration which might without difficulty be presently ended, some of the jurats themselves being always named arbitrators, who, by reason of the new fees and feasts exacted at every of those meetings, make the costs oftentimes more than the suit is worth; causes are thus delayed a whole year which might be determined in an hour in court. It is therefore humbly desired by the inhabitants that the bailiff and jurats for the future may be commanded by the Board to hear out and determine all matters before them in open court, without making those unnecessary references to breed delays, while imposing new fees and charges upon his Majesty's subjects. In case any matters of accompts or other suits of like nature be hereafter brought before the court, which shall require to be referred to more particular examination, it is craved that they may be ordered to be referred to honest and discreet men indifferently named and chosen by both parties, who may and will without fee or feastings consider of the same and report to the bailiff and jurats, who are to judge the same, without prejudice, which would not be the case if the latter were engaged to act as arbitrators. [1 p.]

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5. Petition of the Corporation of Leeds, co. York, to the King. In the second year of your reign you incorporated petitioners by the name of aldermen, burgesses, and 20 assistants, but by experience they have since found some inconvenience therein and some defects in that charter. Within the corporation and places adjacent great quantities of woollen cloths are yearly made, but of late time so falsely that the trade and vent thereof in foreign parts are like to be ruined, to the dishonour of this nation and prejudice of your Majesty's customs, unless prevented. Pray his sacred Majesty to renew their former charter by the name of mayor, 12 aldermen, and 12 burgesses, with like power and privilege as the present aldermen, burgesses, and assistants now have, and with such further alterations and additions as in a particular annexed are expressed, and that his Majesty would refer this, their humble suit, to the Lord Lieutenant-General of Ireland, to whom the state of that part of the county and of the clothing trade in those parts is well known, so that with the aid of the Attorney-General he may consider of the particulars desired and the reasons for the same, preliminary to your Majesty granting the same or so much of their desires as the said referees shall find meet and reasonable for the good of the corporation and advancement of the clothing interest. [1 p.] *Annexed,*

5. I. *Particular of the alterations desired by the borough of Leeds to be made in their charter of incorporation* [granted 2 Car. I. $\frac{2}{3}$ p.]

6. Reasons for granting petitioners [viz. the corporation of Leeds] two burgesses in parliament, and for renewing their charter. Amongst the reasons urged are the following: that cloth to the yearly value of 200,000*l.* is made within the limits of the corporation, chiefly for export. That his Majesty's customs levied upon the cloth exported amount to above 10,000*l.* besides the customs on foreign commodities imported for this manufacture. That alnage is increased. That the people employed in this manufacture are laborious and industrious, and the trade much increased since the town was incorporated. That no part of the kingdom can afford to manufacture cloth so reasonably by reason of the cheapness of coal, wood, mill and house rent. That some imperfections are found in their charter, by reason whereof they cannot so fully reform the abuses in clothing as is fit and they desire to do. That Leeds is the only incorporate borough in the north where cloth is made. That neither Leeds nor any other part of the country where this cloth is made have any representative in parliament. That all other places where cloth is made have burgesses in parliament, and by reason thereof in former times sundry laws were made much to the prejudice of the clothing trade in these parts, and chiefly because they never had (till the late Lord Savile's time) any man in parliament experienced in the clothing of this part of the country. That by this manufacture many thousands of poor people, women and children, are set on work, and many able men maintained in labour

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fit for your Majesty's service upon any occasion. That petitioners upon all occasions of public charges and taxes for his Majesty's service have been willing and forward. That in the late expedition for Scotland, petitioners out of their parish furnished many more light horse and soldiers of the trained-bands than before they were incorporated. [1 p.]

7. Petition of Rebecca Ash to the King. Having lately taken a lease of your Majesty of a certain water spring in the parish of Shoreditch, called Dame Ann Aclea, at a reserved rent of 20*l.* per annum, petitioner's possession in the premises was disturbed by a riot and forcible entrance in the night, putting her to great trouble and charges in prosecuting your Majesty's right against the rioters by way of indictment, upon which they have forfeited their recognizances now certified into the Exchequer. Prays a grant of the said recognizances, she having been at 300*l.* charge in maintaining your right. [1 p.]

8. Petition of Theophilus Earl of Suffolk to the same. Your Majesty at the hearing of the cause between the Earl of Somerset and petitioner ordered that articles should be drawn up by the Lord Keeper according to certain propositions signed by petitioner. The Earl of Somerset, having been called upon for performance of these articles, has by his counsel made new propositions, disputing the reasons of the former, thus causing a delay in the performance, which will tend to the undoing of petitioner and all his younger children; with this object the Earl daily gains upon the youth and inexperience of petitioner's son to join with him in his proceedings. Prays the King, being the fountain of all nobility, to whom in duty we ought to resort, to command such course as he shall think best for the finishing of this unfortunate business. [$\frac{2}{3}$ p.]

9. Petition of Francis Bickley, on behalf of himself and the inhabitants of Attleborough, co. Norfolk, to the same. That in the reign of Edward I. there was a market on Thursday and a fair yearly on St. Mark's day kept in the town of Attleborough. About 150 years since the town was nearly consumed by fire, whereupon the market and fair were discontinued for many years until the inhabitants were enabled to rebuild the same, when the market and fair were revived, and have been continued as formerly. Prays the King to grant his letters patent for the keeping of the same as aforesaid. [$\frac{2}{3}$ p.]

10. Petition of Walter Lord Aston to the same. Petitioner's father having spent above 35 years in the service of King James and your Majesty, and therein almost his whole estate, amounting to 3,000*l.* a year in land, and contracted a debt of 6,450*l.*, which petitioner must pay, you were pleased to bestow on him a pension of 1,000*l.* per annum before he died, but of which he received no part. Petitioner has left to him, towards the payment of this debt and the support of himself and family, only an estate for life in

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500*l.* a year. Prays order that the arrears of his father's pension may be paid to him, and the like pension continued until his father's debt be paid, or else that your Majesty would determine on some other way to relieve him of the said debt, and thereby preserve him and his family from ruin. [$\frac{2}{3}$ p.]

11. Memorandum. It is humbly desired by Lord Aston that in consideration that those gentlemen who are engaged with him for his father's debts are now in town, and will no longer continue their engagements for him except his Majesty declare his favour towards him, that his Majesty will give present order for [payment of] the 1,000*l.* in arrear of his father's pension, and to continue the same to himself for five or six years only till the debt be satisfied, for the payment whereof he will not be importunate until his Majesty's occasions shall better permit. [1 p.]

12. Extract of a memorial presented on behalf of Walter Lord Aston. His Majesty having signified to the Lord Treasurer by word of mouth his will to bestow on Walter Lord Aston, my master, 14,000*l.* towards the repair of his estate, so much decayed by his late employment in Spain, and the Lord Treasurer not willing to take notice thereof but by a legal way, my suit to your Lordship is to move his Majesty on Lord Aston's behalf to give order for a Privy Seal to warrant the issuing forth of the said sum. [*Copy.* $\frac{1}{2}$ p.]

13. Petition of Lady Theodosia, wife of Sir William Tresham, to the King. Petitioner has obtained three several commands from your Majesty to her husband, that since he lives in Flanders from his wife, he should repay her portion of 4,000*l.* which he had with her in marriage. Sir William still presumes on his friends and will not yield obedience, so that petitioner is still enforced to live in great necessity. Prays a final command to Sir William to repay the 4,000*l.* to petitioner at her lodgings in Fleet Street, betwixt this and the 1st May next, or otherwise to have no longer leave to enjoy his employments in Flanders. [$\frac{1}{2}$ p.]

14. Sir William Tresham to the same. Answer to the unjust complaints of Dame Theodosia Tresham. Whereas she alleges that petitioner has been disobedient to three several commands of your Majesty, petitioner answers that all her unjust complaints and supposed grievances have been twice fully and deliberately heard at the Council, and there ordered and determined, which orders in every part have been performed by Sir William as far forth as in any wise it concerned him. Particulars of the matters in controversy. The demerits of her light, lewd, and foul course of life justly weighed, she having been a gaol bird at Newgate and arraigned at bar, and sentenced in the High Commission Court to pay costs to the informer. All which proceedings petitioner cannot decently relate nor lay open without offending your sacred ears. [1 p.]

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15. Petition of Sir Francis Kynaston, his Majesty's servant, to the King. Petitioner and his poor children having been very hardly used by his father, Sir Edward Kynaston, the King had written letters of recommendation to Sir Edward, who had also received similar letters from the Earl of Stirling and Sec. Windebank, touching the support of petitioner in his Majesty's service, yet Sir Edward had performed nothing in obedience to the same. Prays that this petition with the particulars annexed may be referred to the Archbishop of Canterbury and others of the Council, with power to examine witnesses and send for Sir Edward Kynaston and make an end for petitioner's relief. [$\frac{2}{3}$ p.] *Annexed,*

15. 1. *Particulars and proofs of Sir Edward Kynaston's actions towards Sir Francis, his son. Sir Edward is charged with a variety of wrongs committed against Sir Francis and his children, by secret conveyances and settlements of his estate, which Sir Edward had been driven into the Court of Chancery to get rid of. Sir Francis was at this time 51 years old, and had a son and two daughters.* [$2\frac{3}{4}$ pp.]

16. Petition of Giles Rawlins to the King. Petitioner, upon the violent provocation of William Ashburnham, was necessitated to fight singly with him contrary to his desire, they having been old friends. Without previous notice given Ashburnham took petitioner up into his coach, and there discovered his intention to fight, carrying him to the place where the former received the wound, whereof he died, to the great grief of petitioner, who is thereby fallen into the danger of your Majesty's laws. Petitioner casts himself at your feet, begging your gracious pardon in such manner as may take away the punishments inflicted by law, he not having any malicious intention, but an aversion to fight with Ashburnham. [1 p.]

17. Petition of Rebecca Southcott to the same. That her father, Sir George Southcott, being oppressed with melancholy, occasioned partly by unnatural suits between him and his eldest son, laid violent hands on himself as is conceived, whereby all his personal estate is forfeited to your Majesty. By that sad accident petitioner is left wholly unprovided for, except your Majesty's accustomed clemency be extended to her. Prays that she may have such part of her father's personal estate for her portion as you shall think fit. [$\frac{3}{4}$ p.]

18. Petition of Sarah Napier, wife to Captain John Napier, to the same. Her husband stands bound in a bond for avoiding your Majesty's dominions, and so still remains banished, to the great grief and undoing of herself and five children. Prays the King to give order for the discharge of her husband's bond, and to accept of him as a loyal subject, he being willing to sacrifice his life in his Majesty's service. [$\frac{1}{2}$ p.]

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19. Petition of Sir William Woodhouse, his Majesty's servant, to the King. Notwithstanding your Majesty's several directions to the Lord Treasurer for payment of the arrears of his pension, he has hitherto received no benefit. Prays order for present payment, or else such an assignment that he may take up money for satisfying his pressing creditors. [1 p.]

20. Note by Sec. Windebank that his Majesty is pleased to refer this petitioner [see Vol. ccccxiii., No. 17] to the Archbishop of Canterbury, the Lord Keeper, and three others, who are to call before them Lord Eure and Thomas Earl of Arundel of Wardour, and having examined the particulars, with all matters of difference between them, to cause the accompts to be settled, and mediate an agreement, or otherwise to certify the King where the impediment lies, that so he may take further order therein. [$\frac{2}{3}$ p.]

21. Memorial for Sec. Windebank. His Majesty having delivered Dr. Heygin's petition to your honour, he beseeches you to get a good answer thereunto, according to justice and equity. It would have been a thing worth his Majesty's own knowledge what jewels and costly stones have been found, but are now dispersed, engaged, pawned, and put away for payment, presents, and otherwise, especially as a very big emerald has lately been pawned for 300*l.*, esteemed worth as many thousands. Whether the administration of the goods of petitioner's brother was granted to the Earl of Lindsey by and with the King's knowledge and pleasure, and upon a full and true information given to his Majesty, is much doubted. A prime man of his Majesty's servants in matters of law says there is much injustice in this business used against the petitioner. It is therefore desired that the petition may be referred to the Archbishop of Canterbury, or else that order may be taken with his Grace to bring the suit to an equitable and speedy end. [1 p.]

22. Elizabeth Lady Savage to [Sec. Windebank?]. I hear the Queen, my mistress, has done me so great a favour as to get the King to send my petition to you, to whom I must ever acknowledge that I have been infinitely bound; and now, sir, as this is the greatest business that ever I had, and the only thing wherein I may hope to redeem myself of some of the great charge I have lived at in their Majesties' service, having spent very largely, and considering I have nothing from them, but must run the hazard of ruining myself if I continue, therefore I beseech you obtain from his Majesty that the examination of this petition may be referred to Lord Cottington, the Attorney-General, and if there must be a third, the Lord Privy Seal, for these I know, while no ways partial, will consider the great reason I have to be remembered with something for my long expense. This is a business, in the opinion of very good counsel, likely to pass if I have not bitter enemies, for I am assured most of the city will stand for it, and be glad so great an abuse may be reduced. I never had opinion of any good fortune to myself in

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any business till now that I am so happy as to be in your hands, assuring you I will not fail to prove myself on all occasions a grateful and most thankful friend. [1 p.]

23. Sir Robert Phillips to Sec. Windebank. His Majesty, upon my petition [*see Vol. ccccviii., No. 94*], made a reference to some Lords [of the Council] of a particular business with which I acquainted him whilst at Woodstock, but I find that Lord Keeper [Coventry] is omitted in that reference. If this be so, I pray you move his Majesty that the Lord Keeper may be added to the number of the Lords appointed to examine into the truth of the information [*see Vol. ccccviii., No. 93*]. Amongst other, this is not the least reason why this is desired, that the Lord Keeper, who is the General of the Long Robe, might judge how unfitly and undutifully one of that quality [John Boyse, junior] has behaved himself. This, my suit, is humbly submitted to your better consideration, and myself to your pardon for this liberty. [1 p.]

24. [John] Nicolls to [James Marquis of Hamilton?]. I beseech your Highness, with all speed and efficacy that may be, to move the King that, when the place of Custos Rotulorum for Middlesex, at present void by the decease of Sir Thomas Edmondes, shall be bestowed, his Majesty would grant the clerkship of the peace for the said county to the writer, in consideration of his great pains hitherto taken in his Majesty's service. [$\frac{1}{2}$ p.]

25. Sec. Windebank to John Earl of Bridgewater. Sir Thomas Salisbury is already so well known to you, both in his family and abilities, that I shall not need to urge these as arguments to move your Lordship to grant that for which I am now a suitor. Only I shall take the liberty to acquaint you with his near relationship to me, he having married a daughter of Sir Edward Tyrrell, whose son has married a daughter of mine, and if this may be any consideration to you to vouchsafe him favour, the obligation will be more particular to myself. My suit is, that you will make choice of him for one of your deputy-lieutenants in Denbighshire, an employment which his ancestors have heretofore exercised, and whereof few others in that county, either for birth, fortune, or affections to his Majesty's service, are more capable. [*Draft.* 1 p.]

26. Petition of Sir Edward Powell to the Council. The difference between petitioner, his wife, and Thomas Crumpe, being heard at the Board in his Majesty's presence on the 9th of June last, an order was pronounced. Since then an order has been drawn up and entered containing many things contrary to the directions then given, and some things not even mentioned. Prays that this order may be read at the Board, and upon consideration of his exceptions thereunto, to give directions for rectifying thereof. [$\frac{2}{3}$ p.]

27. Petition of James Apsley, of Gray's Inn, son of the late Sir Allen Apsley, to the same. By an order in Council of 5th July 1634,

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his Majesty was pleased to grant to Dame Lucy Apsley, widow of Sir Allen, the office of Custos Brevium, to be employed for the use of Sir Allen's children, the which office sold for 3,000*l*. This sum was to be divided into five parts, as portions for the several children on their attaining the age of 21 years. Three of the children have already received their portions, but petitioner [cannot touch his], not yet being of age, although both able in mind and body to perform the duties of man's estate, and willing, above all things, to spend his youth and blood in his Majesty's and country's service. Prays the Lords to grant an order empowering him to receive 50*l*. of his portion of 600*l*., so that he may be set forward and furnished for his Majesty's service, and therein to compass those exploits befitting his youth, otherwise to die honourably, which is his only ambition. [$\frac{2}{3}$ p.]

28. Petition of Richard Hunt and John Prowd, aldermen of Shrewsbury, and of Thomas Wingfield and Thomas Knight, to the Council. Upon their petition, the Lords, by an order of February 1638-9, referred the accompt of Thomas Owen and the charter business of Shrewsbury to Sir Thomas Milward, chief justice of Chester; but petitioners proceeded not therein, by reason it was agreed by the last mayor and corporation that the charter-money should be satisfied by the sale of land, and the assessment be relinquished. The now mayor agreed for the said land, and paid part of the money, but of late, disliking his bargain, will not proceed. The assessment made amounts to 650*l*., the demand being 520*l*. Thomas Owen is satisfied his whole disbursements, except 26*l*. at most, although he demands unreasonable sums in his accompt, part not concerning the charter business at all. Thomas Owen, whose accompt is not yet examined, may be satisfied what is in arrear out of the town revenues, the greater number of the burgesses refusing to pay the assessment. Upon the untrue suggestion of Owen that petitioners consented to his accompt, they were required, by the Lords' order, to appear before the mayor about this business, although they have disbursed more money about this charter business than their assessments amount to. Pray that such money as has been necessarily disbursed in procuring this charter by others as well as by Owen may be allowed, and that this business may be heard, as was formerly ordered, before Sir Thomas Milward; but if the Lords are pleased to examine petitioners' just defence at the Board, they then beg the favour that such of them as are physically unable to travel may be represented by their attorneys. [$\frac{3}{4}$ p.]

29. Petition of John Huntley, a poor maimed soldier, to the same. Upon a former petition to his Majesty he was referred to the justices of peace for the north riding of co. York, where he was impressed. The treasurer gave him 12*l*. until further order could be taken, when, repairing to the sessions, the justices affirmed that petitioner's certificates from the green cloth and the King's reference under the hand of Sir Edward Powell were counterfeit, which to

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your honours may appear untrue. Prays the Lords to direct their order to the justices of the north riding for his relief, he being a sick aged man. [$\frac{2}{3}$ p.]

30. Petition of the creditors of the late Sir Allen Apsley to the Council. Petitioners, being 34 in number, urge the reasons here stated in answer of a petition [see Vol. ccccx., No. 124] preferred to the Lords by John Holt, executor of Henry Holt and Mark Quested. For all which causes, and for that Holt and Quested refused to join with petitioners, and never pursued the Lords' order on their parts, nor disbursed one penny in the prosecution of this business, while petitioners have spent 1,000*l.*, and forborne their money for these 13 years, pray that the said parties may not be admitted to receive the benefit of petitioners' labours, but that according to the King's pleasure signified, and the Lords' orders in favour of petitioners, they may receive the 2,000*l.* for Galtres Park, and pursue the Lords' orders for the service of his Majesty and their own relief. [1 p.]

31. Petition of Noël le Geyct, of the Isle of Jersey, to the same. That Jasper Chapman, of Jersey, having appealed against a sentence given in petitioner's behalf by the bailiff and jurats of that isle, petitioner appeared at the Council Board to maintain his right, but found neither the party nor his appeal registered in the book of Council causes according to the ordinary form of procedure. Prays the Board to refer the consideration of this cause to some indifferent persons for the allowance of such costs and charges as shall be found due to him. [$\frac{1}{2}$ p.]

32. Petition of Thomas Trollop, of Uffington, co. Lincoln, to Archbishop Laud. Petitioner being about to erect a free school at Bourn, co. Lincoln, presented these orders annexed for your Grace's approbation, which, being referred to Sir John Lambe, he thought fit to add the minister of Bourn as an assistant to the governor for composing of differences betwixt the master and scholars. That parish being inappropriate, the nomination of the minister belongs to a stranger, who allows only 20*l.* per annum, so that a minister of worth and ability will scarce be induced to accept of the cure. Prays the Archbishop to let the minister of Uffington, an adjoining parish, in which petitioner resides, be joined as an assistant, instead of the minister of Bourn, the former living being of good value and in his Majesty's patronage; likewise, that he would sanction an additional rule or statute, enabling the governor to displace such as will not be conformable to the orders of the school, to be added to the orders as formerly submitted, this clause having been omitted through the oversight of petitioner and his counsel. [1 p.] *Annexed,*

32. 1. *Rules and orders to be observed in the free school of Bourn, made and confirmed by the governor of that school.*
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32. II. *Copy of the rules and orders for the free school of Bourn, with alterations and additions by Sir John Lambe.* [1 p.]

32. III. *Another copy, in the penultimate clause of which the parson of Uffington, as well as the minister of Bourn, are ordered to be joined as assistants with the governor, and a final clause added empowering the governor to displace the schoolmaster or scholars if refractory.* [1½ p.]

33. Notes by Sir John Lambe touching the foundation of Mr. Trollop's hospital or free school and almshouse at Bourn, co. Lincoln. [½ p.]

34. Copy of the preceding. [¾ p.]

35. Petition of Richard Franklin and James Whitby to Sir John Lambe, Dean of the Arches. That petitioners, being parishioners of St. Catherine Creechurch, were by your worship appointed to officiate as churchwardens for the year past, by reason of a suit depending between certain parishioners who pretend power to choose churchwardens as vestrymen and the greater part of the parishioners, which charge petitioners have accordingly performed. These vestrymen have made a new choice, but their choice has again been inhibited by you at the petition of the greater part of the parishioners. Petitioners having served as churchwardens for the last year, are now desirous to leave the city for a season with their families, and therefore pray your worship to make choice of some other able parishioners to execute the office *pendente lite*. [¾ p.]

36. Petition of the corporation of Cambridge complaining of misdemeanours committed by the Vice-Chancellor of Cambridge University since the cause heard by the Lord Keeper and Sec. [Windebank]. Robert Norman, committed to the town prison by the Vice-Chancellor for keeping a victualing house without license, was condemned in 20s. and 4s. costs, and being so in prison, two of his creditors laid actions of debt upon him in the mayor's court; whereupon the Vice-Chancellor ordered Norman to be brought before him, and directed that no actions should be laid upon any man in prison by his commandment. A horse belonging to Benjamin Pryme, the beadle, being taken in the corn of Alderman Robson, was impounded in the back yard of the alderman's house, when the beadle's man coming for it, a fight ensued between him and the alderman's son, who, having given the servant a broken head, was sent for by the Vice-Chancellor and committed to gaol. On Midsummer Eve the Vice-Chancellor and a number of doctors, with a great company attending them, came to the fair, where they smashed several bushels without specifying any fault found with them, the same measures having formerly been sealed and proved by themselves. The mayor and corporation beseech your honour for

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reformation of these wrongs and oppressions, which are both particular wrongs to the parties and impugn the liberties of the town. [1½ p.]

37. Petition of Sarah Blomfield, late wife of Edward Jackson, of the Custom House, to the Farmers of his Majesty's Customs. Her husband, after a domestic broil, caused her to be arrested upon an action of 1,000*l.*, and most shamefully carried her to Newgate gaol, where she remains, much afflicted and likely to perish without your worships' favour and compassion for her relief. Her husband heretofore allowed 4*s.* a week towards her maintenance, but now denies any further payment, endeavouring her ruin. Prays the farmers of the customs to make order for the constant payment of her alimony, and to lay their commands upon her husband that he may speedily procure her enlargement; also that they would extend their hands of charity towards her present relief. [1 p.]

38. An Act of Common Council of the city of London of the 15th Dec. 1609 for the better preservation of the river Thames, and restraining the casting of ashes into the streets, lanes, and alleys of the city and the liberties thereof. [*Reprinted in 1639. 2 pp.*]

39. Report of the Company of Waxchandlers of London to the Lord Mayor and Aldermen. Whereas the company are charged to have two parcels of land given to superstitious uses, viz., one by John Tomson of the yearly value of 8*l.*, and the other by Robert Brockett of the value of 3*l.* 3*s.* 4*d.*, they are certified by their counsel that the former gift is free and not within the compass of composition, but for the latter they are willing to submit to the order of the court by compounding according to their proportion. [$\frac{2}{3}$ p.]

40. Opinion of Sir Robert Heath relative to the disposal of property by will by citizens of London as far as regards the custom of the city. The points submitted for Sir Robert's opinion, which are subjoined, appear to relate to the disposal of property under the will of Sir Thomas Middleton, late alderman, deceased. [$2\frac{1}{2}$ pp.]

41. Information by Robert Cross that the mayor of Sudbury committed one of the messengers of the Chamber named Potter to a noisome cage, and when the constable, finding Potter was made ill by the stench, removed him to his own house, the mayor threatened to commit the constable to the same place unless he carried him again thither, which accordingly was done. At length Dr. Warrin and others hearing of Potter's imprisonment got him out, and would have given him satisfaction for the wrong done him in the mayor's behalf, but he refused to take any satisfaction, for that he had sent up to the Lords [a complaint] how the mayor had dealt with him. Towards evening there gathered about the cage in which Potter was confined a great company of unruly persons, who threw stones, water, and dirt upon him to the danger of his

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life, being over against the mayor's own door. All this and much more was related to me by divers credible persons of that town. [$\frac{3}{4}$ p.]

42. Minute of a pass for Jane Foster, whose husband is now remaining at Rotterdam, to pass without hindrance. [$\frac{1}{4}$ p.]

43. Opinions of the Recorder of London and of Mr. Cusen of the Temple, given the 25th of February 1619–20, touching the bequest made by William Neave, in the 16th year of Richard II., of certain lands in the parish of St. Clement's, Eastcheap, and St. Michael, Crooked Lane, London, to the parson and keepers of the church of St. Swithin, London Stone. Mr. Recorder is of opinion that we (the parishioners of St. Swithin's) shall come in for all our lands, and yet be rateable only for that portion which is certainly given superstitiously. Mr. Cusen is of opinion that the parish may sue the tenants for arrears, but in the names of Sir John Leman and Cornelius Fish. Subjoined are short-hand notes. [2 pp.]
Annexed,

43. 1. *Extracts from Rolls temp. Henry III. and Edward I., showing the value and extent of the lands claimed by the parish of St. Swithin. Sum total of the six farms here specified, 5l. 7s. 2d. [Latin. 4 pp.]*

44. Note of certain deeds, licenses, and leases bearing on the claim of the parish of St. Swithin to a portion of ground adjoining the church and churchyard, and which formerly belonged to the prior and convent of Tortington in Sussex. [$\frac{3}{4}$ p.]

45. Translation of a lease made 16th April 1412 by John Botiller, citizen and draper, of London, to Richard Thorpe, rector of St. Swithin's, of a house and little garden adjoining the churchyard for term of 30 years. [*This translation appears from the endorsement to have been made in 1639. 2 pp.*]

46. Complaint by William Lord Powis in the court of the Earl Marshal, Thomas Earl of Arundel and Surrey, against Edward Vaughan for denying that Herbert Vaughan was the legitimate son of Robert Vaughan, of Llwydiarth, deceased, and Catherine, daughter of the complainant, but was the son of a certain Helen Gilbert, the which slander he affirmed in 1628 in the Court of Wards. [*Latin. 4 pp.*]

47. Note of the request of Nathaniel Bates. His father and himself have been ancient tenants of the corporation of Derby, holding the lease of a house and grounds which the corporation purchased from the Crown in the time of Edward VI., and since confirmed by Queen Mary, at a far under-value. His lease being very near expired, the bailiff and burgesses, as they have dealt with others, mean likewise to remove petitioner, which may tend to the utter ruin of himself and family. Prays his honour to procure his

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Majesty's letters in his behalf to settle him in the same, he paying a valuable consideration, as his father and himself have heretofore done. [$\frac{3}{4}$ p.]

48. Memorandum for Robert Read. The privy seal is granted for the clearing of an old debt for works done in St. James's Park and the house, for feeding divers outlandish and tame deer and fowl, planting trees, cutting browse, trenching meadows, for the space of nine years ending at Lady Day next, as likewise for new works to be done, as landing up of divers ponds, casting of others, making of new and more convenient passages for the water by sluices, for fencing and planting of more trees. The privy seal to be granted to the Earl of Pembroke and Montgomery. The new work to be appointed and surveyed by Sir Charles Herbert. The sum the two notes will show which the King gave Mr. Secretary. [$\frac{3}{4}$ p.]

49. Note of debts due by Mr. Francis Cherry at the time of his death. The Lady Hunt died in September 1638, so that Mr. Fenne has received three several quarters' rents since, and has paid to Mr. Francis Cherry 60*l.* for three quarters of a year ended at Lady Day last; total, 946*l.* 14*s.* 1*d.* [3 pp.]

50. Henry Whitbrooke to William Earl of Devonshire. I formerly acquainted you how my brother Carew became a debtor to me for 500*l.* principal, besides interest, now for about five years, for payment whereof I once made bold to solicit your Lordship, as I have very often importuned my brother. The long forbearance of this money has put me to such extremities as I am necessitated again to become a suitor to your Lordship to be a means that I may be either forthwith paid my principal and interest out of such moneys as are owing to my brother by your Lordship, or else that I may have good security for payment thereof in a convenient time. [*Draft in Nicholas's hand.* 1 $\frac{1}{2}$ p.]

51. Petition of James Law to the King. That the appointment to the treasury and controllery clerkship in Scotland is necessarily in your Majesty's gift, being the only means to charge and control the Treasurer's yearly accompts in the Exchequer. Upon the death of William Chalmer, the Lord Treasurer, at his own discretion, placed Alexander Burnett, a fervent combiner and Covenanter, in the said office, and is now a suitor to your Majesty for the gift thereof to him, being one of the Lord Treasurer's own creatures; in consideration whereof, and for petitioner's better comfort in his troubles and fears for not subscribing the Covenant, he prays you to confer upon him the said office, for the better enabling him to complete his great work, viz., a compendium of the whole holdings of Scotland, [wherein] the last nine or ten generations are to be seen and known as in a mirror by your Majesty and hopeful posterity, for increase of your revenues and rectifying of change of tenures, whereof petitioner is ever ready upon call to give proof and testimony. [1 p.]

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52. Petition of Capt. Richard Mackmoiler to the King. Has a long time served in the wars, and lately under the Duke of Brandenburg. Hearing of the expedition for Scotland, and knowing that some Scotch officers had gone thither upon being sent for, petitioner being very desirous to serve his own prince before any other, procured his discharge and came to England, as by the letter from the Duke to his Majesty may appear. As petitioner in respect of the premises discharged himself, and has since expended even all his means, and is destitute of employment and maintenance, he prays his Majesty's letter to the French King for preferment in his wars, and for his present relief, to bestow on petitioner his Majesty's bounty. [$\frac{3}{4}$ p.]

53. Petition of David Barclay, *alias* Bartley, sergeant-major, and of Henrick Benson, his servant, to the Council. Petitioner lately came out of Dutchland [Germany?], in a Dutch bottom, with his servant and divers others, bound for Newcastle, with intention to serve his Majesty, but by reason of contrary winds they were driven to Bellington [Bridlington] Bay, otherwise Flamborough Head, whence they came to Newcastle. They are still willing to serve his Majesty, but remain prisoners in the Gatehouse, and are like to perish through want, unless they are commiserated by the Lords. Pray for their liberation. [$\frac{3}{4}$ p.]

54. Petition of Alexander Barclay, lieutenant-colonel, prisoner in the Fleet, to the same. There were rumours in Germany of wars that were likely to arise between England and Scotland, whereupon petitioner and others repaired to his Majesty's court, where he, with others, received his Majesty's favour. But upon some information, fearing, as petitioner conceives, he had more respect to the Covenanters than his Majesty, or for what cause else he is innocent of, he stands committed. Protests that he was neither sought to by letters nor otherwise by the Covenanters ever to partake in their cause against his Majesty, for whom he came over purposely to sacrifice his life to do him service. [1 p.]

55. Petition of George Forbes, lieutenant-colonel, prisoner in the Fleet, to the same. Petitioner was a commander in Germany, but hearing of the war likely to arise between England and Scotland, he posted to aid his Majesty. Having landed at Flamborough Head, he forthwith repaired to the court at Newcastle to offer his service, which was accepted of, and himself kindly received by his Majesty. There he resided, awaiting his Majesty's pleasure, a fortnight, but at last was commanded into the custody of Sir Henry Mainwaring, and so sent to London, where he stands committed by your Lordship's order. Petitioner having declared that his intention was not any way bent to be an adversary or a traitor, or that he sought to comply with the Scots' faction against their sovereign, prays that he may have his freedom. [1 p.]

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56. Petition of Alexander Dickeson to the Council. Petitioner being desirous to return to his own country for settlement of his private affairs, obtained his dismissal from Lieutenant-General James King. So soon as he has effected his business he intends returning again into Germany to his said master. It was not his wish to meddle with any of those officers whose intentions he knows not, nor to engage himself in those stirs in Scotland, which he heard were settled, otherwise he would not have come away so soon. Complains that he has been so long detained unexamined, and now being cast into prison without liberty of going out, is like to lose his life and wits, not being acquainted with such hard usage. Beseeches the Lords that after trial he may not only have his liberty, but be repaired of his losses, as he shall ever be bound with his wife and family to pray for his Majesty's happy reign. [1 p.]

57. Petition of John Sibbald, prisoner in Wood Street Counter, to the same. Petitioner served the crown of Sweden in Westphalia, in the regiment of Lieutenant-General King, and having effected a junction with the Palsgrave's army, they were beleaguering the town of Lemgo, when General Hazfield came down with his army, and at the town of Flota defeated theirs, taking Prince Robert [Rupert] and Lord Craven prisoners, and many more, amongst whom was petitioner. After lying a long time in prison, petitioner was ransomed by his officers. Whilst on the march he received a letter that some of his friends were dead and had left him money, whereupon he obtained leave of absence from his lieutenant-colonel for two months, promising to return back again to his regiment in Westphalia when his business was accomplished. Not being able to obtain passage from Bremen in the winter, he was forced to wait till the present. Protests that he knew not of any man who was to go in the ship besides himself, except one man and his boy, whose friends went to his Majesty and got him free at Newcastle. There were four others in the ship who were set free at Berwick and Newcastle. Beseeches the Lords, for Christ's sake, to bring him to an examination, that he may be free and return back to his regiment, and in the meantime that he may have maintenance, and that his friends may be permitted to visit him. [2 pp.]

58. Petition of Capt. George Forbes and his servant John Brown, close prisoners in Ludgate, to the same. Petitioner served as captain under Col. Riven [Ruthven] for the crown of Sweden, and came over with others to serve his Majesty. Upon their arrival at Bridlington, hearing his Majesty was at Newcastle, they sent certain officers to certify his Majesty, who willingly accepted their services, and gave them good entertainment for the space of a fortnight; but it seems, by misinformation of some of their countrymen, his Majesty was pleased to send us here prisoners under Capt. [Sir John] Pennington, who took us in at Newcastle without any examination. Pray that they may be examined and liberated, and that in the meantime they may have some allowance to maintain themselves. [1 p.]

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59. Petition of Capt. Gilbert Blair and Lawrence Swethman, his servant, close prisoners in Ludgate, to the Council. Petitioner was employed in the Rochelle voyage, and now coming from Dutchland [Germany ?] with others in a small frigate bound for Newcastle, on purpose to serve his Majesty, arrived in Bridlington Bay, whence they sent three of their company, lieutenant-colonels, to his Majesty at Newcastle. The wind serving, they sailed to Newcastle, where they had fair quarter given them by the mayor during their abode there, according to his Majesty's command. Afterwards they were sent to London by the King's orders in the Mary [Henrietta Maria], commanded by Sir Henry Mainwaring, and are now close prisoners. They pray that they may be liberated, or else order taken to supply their present necessities. [1 p.]

60. Petition of John Kynnymouth, lieutenant-colonel, and of George Hay, his servant, to the same. Petitioner came out of Dutchland with full intention to serve his Majesty, and upon his arrival in England tendered his services to the King. He and his man have since been brought to London and committed to the Gatehouse, where they remain close prisoners. Petitioner is very poor by reason of his late imprisonment, having been taken prisoner whilst in the Prince Elector's service [at the battle of Flota], together with Prince Robert [Rupert] and Lord Craven, where he so continued for half a year, and was forced to pay his own ransom. They are now debarred of liberty, without possibility to get anything for their relief, their friends not being suffered to come unto them. Pray that they may be examined, or that order may be given for their speedy enlargement. [1 p.]

61. Petition of George Synnott, lieutenant-colonel, to the same. Petitioner for 18 years has exercised himself in the wars beyond sea, and last served under the Emperor of Russia, from whence returning, and hearing that his Majesty had occasion to use his subjects, petitioner repaired into this kingdom to tender his service. He has attended these seven months, and spent most part of what he got in the wars, being destitute of employment. He, with others, is now restrained by proclamation from going beyond sea without leave from the Lords. Prays leave to depart again beyond the seas for the wars, whereby he may maintain himself as is fitting for him. [$\frac{1}{2}$ p.]

62. Petition of John Cunnyngname, prisoner in Newgate, to the same. Being a reformado in Westphalia, in the service of Sweden and the Palatinate, petitioner was informed of certain martial service which his Majesty of Great Britain had lately given order for, and thereupon obtained leave by pass of Lieutenant-General James King and Lieutenant-Colonel John Monroe to embark for England for his Majesty's service, in company with David Hunter, of the same regiment. Prays to be called before the Board to answer such charges as may be objected against him, and in the meantime to be

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allowed freedom of the prison for exercise, with daily rations, being altogether destitute of means. [$\frac{1}{2}$ p.]

63. Petition of David Hunter, prisoner in Newgate, to the Council. To the same effect as the preceding petition of John Cunnyngame. [1 p.]

64. Note of letters intended for correspondents in Scotland, but which have been intercepted and sent from Newcastle; amongst others, Gustavson to Marshal Leslie, wishing a happy accommodation of the differences betwixt his Majesty and Scotland; other letters from Osnaburg, where Gustavson commands, desire recruits to be sent thither to [Captain] Lumsdaine. Abercrombie at Bremen to the Provost of Edinburgh, informing that Lieutenant-Colonel James Wardlaw having married the widow of Colonel Roberts comes to receive moneys from the provost's hands which were made over to him. Amongst the letters taken from Wardlaw is a Latin one to the French King, which by the handwriting and seal appears to come from Axel Oxenstiern [Oxenstiern at Axel?]. The letters of James Stewart contain nothing, and were all old in October last. Constantine Campbell to John Smith, merchant at Edinburgh, desiring peace between England and Scotland, that the bearer may quickly come back, otherwise the money to be made over to Bremen. Campbell to Andrew Mill, recommending moneys in James Murray's hands to be made over, if peace be despaired of, by the coming over of Archibald Masterdone. Lodovic Leslie writes as honest a letter to James Leslie as can be, hoping all the forces of his Majesty will be employed for the Palatinate. John Hume writes to Marshal Leslie, requesting that if his Majesty should send any Scottish forces into France (for the report goes that the King intends to make wars abroad) he might be remembered and employed. David Stewart desires, if no accommodation be made, to get some employment in Scotland. Lieutenant-Colonel Sinclair to Sir James Sinclair; if he can get him an employment in Scotland he will come over from Osnaburg. [1 p.]

65. Examination of Help-on-high Fox, now of Tewkesbury, co. Gloucester, M.A. of Edinburgh, aged about 22 years. In April 1638 he went to Scotland, and being asked why he, hearing of the tumults, would go thither, he answered that having spent some time in the University of Oxford, and his father being unwilling to maintain him there, and he not wishing to lose time, went to the University of Edinburgh, where his father maintained him. In his journey towards Scotland he spent about 5*l.* or 6*l.*, and during the time since he left England he has spent about 24*l.* He took his degree of M.A. within the said university. Mr. Adamson, the principal, and Mr. Wiseman, the regent, and others there, at the time of his taking his degree, persuaded him to subscribe to the covenant, telling him that he should not have his degree unless he signed the same. The Provost of Edinburgh came to hinder him from taking his degree, in respect he would not subscribe or swear to the covenant, and one

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Baxter of the town council incensed the provost against him, but through some mistake of his name he got his degree, but did not subscribe to or swear to the covenant. Knows only one Englishman, a scholar, remaining in the said university, whose name is Francis Johnson. Examinant only brought two letters from Scotland, which he now shows, of which one contains nothing concerning the affairs in Scotland, and the other is sent together with the examination. In his passage from Edinburgh to London by land he was never examined either by magistrate, soldier, or other person. [*Subscribed in the presence of Bishop Goodman, of Gloucester, by whom it was transmitted to the Council on the 20th of May last, with five others. 2 pp.*]

66. Information of intelligence carried on between Cardinal Richelieu and the Scotch nobility by means of Friar Chambers, almoner to the cardinal, to whom a letter was written by his brother, a captain, containing the following passage: "That he rejoiced much at the favour his brother, the almoner, had with his master, and that thereby he had so obliged the nobility of Scotland, which was a great contentment and expectation too for them all." The words, the writer observes, are suspicious, and seem to relate to some letter concerning good offices done by Chambers, the almoner, between the cardinal Richelieu and the nobility of Scotland. [$\frac{2}{3}$ p.]

Halstead. 67. T. B[uck] to his brother, Mr. Vicars, dwelling in Christ's Hospital. Hopes that a cup of good mulled sack has dissolved his cold. We hear of your great men's rising; God grant they stand fast, which they may do if they be right and straight before Him, who sees and knows all. Good brother, never fear the Scots meddling with us if we meddle not with them. Thanks for kindness shown to my sisters and daughter. The object of my journey is to confer with my father Buck's children and friends for his enlargement, as I find him very heavy and sad that none will stir for his release, although he lies there [in prison] but for 12l. [*Seal with crest. 1 p.*]

68. Petition of Captain Gilbert Byron to the King. By his Majesty's favour, petitioner, about 18 months past, took up in England 120 men for the service and assistance of the Elector Palatine, and carrying them hence to Bremen, where the rendezvous was appointed, petitioner and his men were refused passage, so that he was obliged to send them overland to Amsterdam. Some of the officers belonging to the West India Company resident at Amsterdam, notwithstanding they were forewarned the contrary by petitioner's officers, hired and took away underhand for the service of their company 33 of petitioner's soldiers, besides many more supposed to have been inveigled away by them, by which indirect dealing his Highness' service has not only been greatly prejudiced, but petitioner damnified above 600l. Petitioner has made his grievance known by petition to the company's committees at

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Amsterdam, but could obtain no relief. Prays therefore that his Majesty would give him leave to arrest any of the States ships in his Majesty's harbours, and to detain them till he receive satisfaction. [$\frac{2}{3}$ p.]

69. Petition of James Butler, Prudence his wife, and Nicholas Van Acker, of Fulham, to the King. That your petitioners, Prudence and Nicholas, being aliens born at St. John's Chappel, near Belle in Flanders, of the Protestant religion, came over into England very young, and have both for many years been married into English families, and intend settling here. Being subject to many inconveniences while they remain aliens, they pray to be made free denizens of this kingdom. [$\frac{2}{3}$ p.]

70. Another copy of the preceding petition with a few variations. [$\frac{2}{3}$ p.]

71. Petition of Susan, wife of John Bradhurst, to the Council. Coming lately into England upon business, petitioner is now desirous to return with her two children to her husband, for which she obtained a pass from the officers of customs, but one of the children being born in England, she may not be suffered to transport that child without license from the Board. Prays the Lords to sign her pass already granted by the customers for that purpose. [$\frac{3}{4}$ p.]

72. Petition of Richard Handley, prisoner in the Gatehouse, to Sec. Windebank. That certain officers lately lodging at John Smith's house, adjoining petitioner's, in Montague Close, Southwark, and having authority for enlisting volunteers for foreign service, have abused their authority by seducing young men and boys, by the promise of lucrative employment and the like, to resort to Smith's house, where they were shut up as in a prison until they might be conveniently sent away. These involuntary prisoners, seeing themselves so deluded as to be suddenly snatched away against their minds from their parents, friends, and country, made a great exclamation and outcry, beating down the windows, and vehemently threatening to fire the house if longer detained, which noise brought petitioner and all the neighbours into great fear of some sudden mischief. Upon complaint made to Sir John Lenthall, justice of peace, he convented before him the said officers and Smith, as also petitioner and other neighbours, that the matter might be fully examined into, and reported to the Lord Chief Justice, by whose order the business is to be heard at the King's Bench on Monday next, where the parties are bound over to appear. On petitioner's return from giving evidence he was maliciously arrested by one of the Knight Marshal's men at the suit of David Jones, a man whom he had never before seen, and some things have since been suggested against him to your honour, by whose command he now lies prisoner. Avers that all he said or did was with the rest of the neighbours out of their care to preserve their

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houses and goods, he being heartily sorry for any rash or unadvised words he should have let fall, and humbly submitting himself to your honour, beseeches your noble favour and goodness to have commiseration towards him and to grant him his liberty. [1 p.]

73. Application by William Armyne to the Council for a license for two of his sons, William and Theophilus, to travel. [$\frac{2}{3}$ p.]

74. Index extracted from [Vanderdort's catalogue?] of King Charles I.'s collection of pictures, 1639. From the note of pictures at Whitehall, it appears that this list was made out after 15th October 1639. [8 pp.] *Annexed*,

74. I. *Note of pictures and statues in the palace of Whitehall.* [2 pp.]

75. Memorandum of money owing to [John Wolfgang] Rumler, [apothecary in ordinary to King Charles]. These notes cover a period of 10 years, extending from 1628 to 1638. [1 p.]

76. Brief of the grievances of the burgesses and commons of the town of Newcastle-upon-Tyne caused by the misgovernment of the mayor and aldermen. [4 pp.]

77. Portion of an entry book containing copies of documents relative to the year 1639, but which have been already calendared under their several dates, viz., the Lord Chamberlain's commission for his regiment [see Vol. ccccxiv., No. 155], the Lord Chamberlain's letter to the King's servants for their attendance in the North [see Vol. ccccxii., Nos. 12 and 21], and warrant to Sir William Uvedale [see Vol. ccccxiv., No. 154]. [$5\frac{1}{2}$ pp.]

78. Information by Thomas Barton against John Hammond, *alias* Hendley, for professing to have supernatural power over the King and others. Hendley said that he had the King's life at an hour's warning, and that if he pleased he could put his crown upon his own head in despite of all the world, also that he had the same power over any man. [$\frac{3}{4}$ p.]

79. Similar information by Robert Norton. [$\frac{1}{2}$ p.]

80. William King to Sec. Windebank. I am environed in a gulf of miseries if your honour be not favourable in the producing of my author for the late manuscript committed to your hands. I hope that you will be pleased to sound the very depth of my miseries in regard of my imprisonment, and transfer me to my former place. I can make it appear, if admitted to your presence, that there are two gents., viz., attorneys, who have great store of all sorts of manuscripts, and have been continual buyers for these 20 years; and I do verily believe that they have some books now inquired after by the State. I can inform you where a man is who knows of a book dedicated to the Duke of Lennox concerning the succession of princes. [1 p.]

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Excerpts from the Rolls [made by a clerk of Sir Joseph Williamson], comprising lists of grants, patents, &c., extending from the first year of Edward VI. to the 15th year of Charles I. [230 pp., of which 77 are blank.]

Muster Roll of the trained-bands for the county of Derby, containing the names of the trained soldiers and how armed, with the names of private men and their arms in each constabulary. [See Case E., No. 14. Roll of Parchment.]

List or enrolment of untrained but able men within the east division of co. Northampton, fit for his Majesty's service in the wars. [Ibid, No. 15. Six skins of parchment.]

ACTS OF THE COURT OF HIGH COMMISSION,

NOVEMBER AND DECEMBER 1639.

In continuation of those published in the preceding Volumes. They are derived from Vol. cccxxxiv.

1639.

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|----------|----------------|---------------------------------|--|
| Nov. 11. | Vol. cccxxxiv. | Samuel Evatt, of St. Gregory's, | Ordered that defendant should allow |
| | fol. 2. | London. | 10l. per annum as alimony out of the property brought in marriage to him by his wife Barbara, and that the latter shall enjoy her chamber in the house in Knight rider St., held under lease from the Dean and Chapter of St. Paul's, during her life, without interruption of her said husband, who is to have a room on the same floor as his wife's garret, by favour of the tenant, Nicholas Meade. An attachment is decreed in the event of non-fulfilment of this order. |
| Nov. 14. | fol. 6 b. | Edward Shove, clerk | - Witnesses produced and sworn. Nothing paid. |
| | fol. 7. | Theophilus, Earl of Lincoln | - Referred to Sir John Lambe and Drs. Duck and Eden, to report their opinions in this cause by next court day. |
| | | Oliver Andrews | - A motion by Dr. Rives. |
| | | Sir Edmond Plowden | - Petitions to be read. The court being informed for the bond that Sir Edmond still persisted in his contempt against the orders of this court for his wife's alimony, decreed an intimation of 50l. to issue out against him, and to be certified into the Exchequer in case he submit not by the next court day; whereupon the counsel for Lady Plowden moved the court that the bond in 500 marks forfeited by Sir Edmond to the King |

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Nov. 14. Vol. cccxxxiv.
fol. 7.

might be assigned towards her maintenance, she being destitute of all alimony through her husband's obstinate lying in prison. Reference made to the Commissioners at Informations, to consider whether Sir Edmond's bond be really forfeited, and if so by what means the forfeiture may be made to accrue to Lady Plowden, and to report their opinions the next court day.

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| Francis Grove | - - - - | - | Taxation of costs. |
| John Ashton | - | - | The like. He desires his petition to be read. Ordered to lie in prison till he give bond to obey the order of this court. |
| Emanuel Bradley | - | - | The like. Appointed for next court day. |
| Walter Veysey | - - | - | He and his wife desire their petitions to be read. The condition of the bond, the furniture of the chamber, and the agreement referred to the Bishop of Oxford. |

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| fol 7 b. | John Everard, S.T.P. | - | Reference to the Dean of Durham and others to set down order touching defendant's submission. |
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| Edward Parkhurst | - | - | The cause to be informed in and finally sentenced this day. For next court day. |
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| John Creswell and others | - | - | The like. It is sentenced. |
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| Sir Henry Roswell | - | - | The like. Appointed for next court day, after Hawkins. |
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| Crane and Draughton | - | - | The like. For next court day. |
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| Robert Hawkins and Joan Bach | - | - | The like. Appointed for next court day precisely. |
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| John Perrot | - - | - | The like. For next court day. |
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| fol. 8. | John Tuckerman | - | The cause to be informed in and finally sentenced this day. For next court day. |
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| Robert Harwood and Ambrose Beach. | - | - | The like. For next court day. |
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| Nightingale Kyme | - | - | His wife desires her petition to be read. To obey the orders. By this day fortnight, an attachment with intimation of 20 <i>l.</i> to be extracted. |
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| Christopher and John Withens and Peter Plomer. | - | - | Christopher Withens is to appear in custody of the messenger, and the other two upon bond. He desires his petition to be read. The defendant's petition was referred to the consideration of the Bishop of Rochester, his Ordinary, and to any other divine, and he to attend with the messenger; the other two dismissed. |
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| Robert Morecroft | - | - | Witnesses sworn and examined. This cause was then concluded in, and assigned to report. |
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ACTS OF THE COURT OF HIGH COMMISSION.

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- Nov. 14. Vol. ccccxxxiv. fol. 8 b. Sir Thomas Savage and Elizabeth Fountain. This cause was dismissed if no prosecutor come in before next court day. Reference to Sir Nathaniel Brent.
- George Seaton, S.T.P. - - - To put in proof.
- Edward Brooke, at the suit of his wife Jane. Referred to Sir John Lambe and Dr. Duck to set down order in this cause by next court day.
- William West and Sarah Bostock Investigation as to the sufficiency of the promoter. It's done, the promoter good enough.
- John Trendall - - - This day Trendall being three several times, viz., at the first sitting, middle, and rising of the court, publicly called for, appeared not, and thereupon, inasmuch as the said Trendall was by order from the Lords enjoined to make his appearance before and attendance on the Commissioners for Causes Ecclesiastical this day and came not, Mr. Knight, the deputy registrar, was required by the court to attend the clerk of the Council and to certify Trendall's contempt.
- fol. 9. Erasmus Amy and Thomas Rea, alias Rey. Agreed.
- Edward Bradshaw - - - Exception being taken to the sufficiency of defendant's answers, it was referred to Sir Nathaniel Brent to peruse the same, and to order Bradshaw to answer fully to such articles as he shall find insufficiently answered.
- John Herbert - - - Investigation as to the sufficiency of the promoter, and a motion by Dr. Lewin complaining that defendant, having retarded proceedings and put the promoter to unnecessary charges, ought to be held responsible for the same.
- Margaret, wife of John West - Referred to Sir John Lambe to set down order in this cause. Defendant to lie there [in prison?] until she give very good bond.
- Henry Morgan, clerk - - - Commission brought in; depositions published, with the exception of the examination of Lady Ann Beauchamp.
- fol. 9 b. Adrian Scroope and John Penruddock. Their appearances by letters were respited till this day. For next court day.
- Thomas Wild, clerk - - - Referred to Drs. Duck and Eden to set down order in this cause. Ordered that this cause be retained and proceeded in in this court. William Ackson, clerk, vicar of Painswick, was then produced as witness and sworn for the prosecution.
- John Baker - - - Referred to Dr. Aylett to set down order in this cause for next court day. If he find defendant's answers insufficient, to give order for his fuller examination; also to tax the costs of suit and alimony for Baker's wife as he shall find cause.

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ACTS OF THE COURT OF HIGH COMMISSION.

Nov. 14. Vol. cccxxxiv. Robert Butterfield, M.A.
fol. 9 b.- Referred to the Bishop of Ely and Drs.
Duck and Eden to consider of his
petition by next court day.

John Cooper, clerk -

- Referred to Sir Nathaniel Brent and
Dr. Gwynn to consider of the suf-
ficiency of defendant's answers, who
being satisfied, Cooper was licensed
to depart and appear by his proctor.

fol. 10.

Thomas Seabrook -

- Referred to Sir Nathaniel Brent and
Dr. Gwynn to set down order in this
cause for next court day.Robert Robotham [Robottom],
S.T.P.His articles and answers to be taken off
the file and cancelled, the cause being
agreed.

Daniel Votyer, clerk -

- To be examined before next court day.

John Strange - -

- An intimation of 20*l.* to issue out
against him for non-appearance.

fol. 10 b.

Thomas Hobert, physician -

- To be committed if he appear not before
next court day.

John Adamson and Thomas Cooke

Expenses ordered at Informations. Mo-
tion by Dr. Talbott that the defen-
dant, Thomas Cooke, was prosecuted
in this court for a pretended arrest
in Maubred [Mautby?] churchyard,
and Adamson only for not presenting
it, and therefore desired that the
latter might be dismissed with his
charges; the consideration of which
motion was referred to Sir John
Lambe.

Nicholas Downey, clerk -

- Depositions of witnesses published; no
new commission to be granted to the
prosecutor.

James Oades - -

- Commission brought in; Dr. Mason's
motion referred to Dr. Gwynn.William Stone, late of Wimborne
Minster, co. Dorset.

Appointed for next court day.

James Oades - -

- A motion on defendant's behalf by Dr.
Mason referred to Dr. Gwynn.

fol. 11.

John Nicolas, butcher -

- Referred to Sir John Lambe, to con-
sider of the sufficiency of defendant's
answer.Fulk Goldsmith, John Wells, and
John Plummer.The counsel for defendants informed
the court that they had answered
the articles and denied the crimes
charged on them, and therefore de-
sired that they might be dismissed
if a sufficient promoter came not by
the next court day, which motion
the court referred to the Commis-
sioners at Informations.

Paul Laurence, clerk -

- The charges taxed at Information con-
firmed.

Philip and Lewis Morgan

- The counsel for the office had till this
day to consider of their answers,
and a motion by Dr. Lewin was
introduced. Dr. Rives to answer by
next court day.

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- Nov. 14. Vol. cccxxxiv. Richard Tydd, clerk, and Richard Goodman. Appointed for next court day.
- fol. 11.
- fol. 11 b. Tristram Hinchcliffe, clerk - The cause to be informed in and finally sentenced. Appointed for next court day.
- Dr. Withe - - A motion by Dr. Lewin or Dr. Rives.
- Thomas Robinson - - An intimation of 100*l.* to issue out against him if he appear not by next court day.
- William Baspoole - - Committed to the Marshalsea Southwark for his malapert delivery of the prohibition, and it was referred to Sir John Lambe and Drs. Duck and Eden.
- Benjamin Webb - - Dismissed.
- fol. 12. Samuel Wethered and others - They desire their petition to be read. Appointed for next court day.
- William Crowder, Henry Hunt, Guy Londonning, and John Wright, of St. Martin Outwich. This day the court, taking notice of the prohibition brought the last court day in this cause out of the Court of King's Bench on behalf of defendants, referred the perusal and consideration thereof to Sir John Lambe and Drs. Duck and Eden, who are desired to report their opinions touching the same the next court day.
- William Waterman, clerk - He was ordered to put in his defence by this day. Appointed for next court day.
- Thomas Weekes, in a suit promoted by his wife Anne. Plaintiff desires her petition to be read touching costs of suit and alimony. She prays that she might be secured from her husband's violence, and might quietly enjoy such maintenance as by her industry she has acquired. Reference granted to Sir Nathaniel Brent and Dr. Gwynn.
- fol. 12 b. Thomas Wood and Henry Ellis, of Ackworth. This cause was reassumed, and a commission granted for proof.
- Robert Ingram and William Covell, of St. Ives. To answer additional articles by Monday next, when they are licensed to depart and appear by proctor.
- Thomas Grove, of Penn, co. Bucks Examined. Appointed for next court day.
- Henry Tayler and Susan his wife. Dr. Martin's motion to be moved when the Bishop of Ely is in court.
- fol. 13. Thomas Coster, clerk - - He is examined. To consider of his answers by next court day.
- Margaret Knott - - It was represented to this court that defendant had in her answers acknowledged more than was proved against her, and that therefore the prosecution of this cause was very unjust and vexatious. Prayed that it be referred to any one of the commissioners to

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fol. 13.

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peruse the articles and answers, and if he find it fit that the cause should go on, then to admit her defence; if otherwise, to dismiss it hence and refer it to the ordinary. The consideration of which motion the court referred to Dr. Gwynn.

- | | | | | |
|------------|--|---|---|---|
| | Edward Dallison | - | - | He desires his petition to be read. |
| | Giles Blunt, of Keswick, co. York | | | A motion by Dr. Mason. |
| fol. 13 b. | Francis Nicholls, Esq. | - | - | The cause to stand undismissed till Bagshaw's cause be heard. |
| | William Good, of Redmarley, D'Abitot, co. Worcester. | | | An attachment decreed if the notary's expenses be not paid before next court day. |
| | William Woodroffe, clerk, rector of Waxham, Norfolk. | | | Appeared. |
| | Robert Reynolds | - | - | An attachment decreed if he appear not by next court day. |
| fol. 14. | William Bodkin, of Henley, co. Oxford. | | | Appointed for next court day, and to be attached for non-appearance. |
| | John Browning and Henry Smith, churchwardens of Dursley, co. Gloucester. | | | The like. |
| | David Jones and others | - | - | The defendant's brief to be introduced before next court day. |
| | Anthony Sanderson | - | - | An attachment decreed if he appear not by next court day. Referred to Sir John Lambe to report what way he conceives best for disposal of the bond forfeited by Sanderson. |
| | Robert Hazelwood, clerk | - | - | To state qualification and prove it before next court day. |
| fol 14 b. | John Jones | - | - | [To be liberated] upon good bond and security. |
| | Robert Grosse, clerk | - | - | An attachment decreed. |
| | Thomas Good, Esq. | - | - | His defence given in and a commission decreed for proof thereof returnable the second session of next term. |
| | Richard Wheeler, clerk, vicar of Hanley Castle, co. Worcester. | | | An attachment decreed if he appear not by next court day. |
| | Walter Vesey, of Burford, co. Oxford. | | | His petition read, setting forth how he was prosecuted in this court at the complaint of his wife for alimony, and an agreement was entered into for payment of 30 <i>l.</i> per annum for her alimony until they should be reconciled. Referred to the Bishop of Oxford to consider whether defendant has sufficiently performed his agreement, and to put a final end to this difference. |
| fol. 15. | Mary, wife of Paul Williams | - | - | The cause to go on in the ordinary course. |
| | John Vaux and others | - | - | Appointed for hearing the next court day, when if the promoter did not give in his brief, defendants to be dismissed. |

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Nov. 14. Vol. cccxxxiv. John Gwynn - - - Nothing done.
fol. 15.

Thomas Austen, clerk, rector of
Grafton Regis, co. Norhamp-
ton.

Anthony Whaley's petition was this day read, setting forth that he had been convented before the Council Board at the complaint of Mr. Austen for doing but his duty in the prosecution of the latter in this court, which he desired this court to consider of; to which it was replied by Austen's counsel that his client had preferred his petition and given in his information against Whaley before the Lords, which Mr. Whaley was there to answer. The court then desired Sir Nathaniel Brent and Dr. Gwynn to consider of these petitions and of Mr. Austen's information, and to report their opinions therein the next court day.

Edward Harris - - - An intimation decreed.

William Atmore - - - His petition rejected, and order made that he should stand committed until he should have performed the orders of this court for his wife's clothes and alimony in every particular.

fol. 15 b. Mr. Coppin - - - Mr. Holford to be spoken with for Coppin's relief.

John Creswell, of Newbottle, co. Northampton, Thomas Ricketts and Thomas Blackwell, of Farthinghoe, co. Northampton.

The several awards of the members of the court in this cause are entered separately. Sir John Lambe acquits the churchwardens, with their costs from Sir Roland Egerton, and acquits Mr. Creswell without any costs on either side.

fol. 16 b. Do. - - - A fuller statement of the proceedings in the above cause, which originated in a dispute as to a seat in Farthinghoe church.

Nov. 16. fol. 15 b. Sir Roland Egerton, knt. and bart., and James Doed. Thomas Blackwell, admitted as a witness, and sworn.

Nov 18. John Cooper, clerk, rector of Elton, Hunts. Referred to Sir Nathaniel Brent and Dr. Gwynn, to consider of the sufficiency of defendant's answers, which being found sufficient, he was licensed to depart and appear by his proctor.

fol. 16. Thomas Weekes, of Southwark, distiller; in a suit promoted by his wife Anne. Defendant to enter bond in 40*l*. not to molest his wife in the enjoyment of such maintenance as she may gain by her industry. It was further ordered by the referees that the 10*l*. paid into court by Weekes be delivered to the use of his wife, upon condition that she deliver up all articles, certificates, and other writings which she has against her said husband. These conditions being performed, Weekes to be dismissed from further attendance in this court.

Nov. 19. fol. 15 b. Edward Kydd, B.D., rector of Haughton, Notts. Appeared and took oath to answer articles.

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- Nov. 19. Vol. cccxxxiv. Paul Lawrence, clerk, curate of Pulborough, Sussex. Witnesses produced and sworn.
- fol. 16. George Boothesley - - [No entry.]
- Richard Tydd and Richard Goodman. Witnesses produced and sworn.
- George Steward, Esq., of Pattishall, co. Northampton. The like. Nothing paid.
- Nov. 21. fol. 17. Theophilus Earl of Lincoln - Referred to Sir John Lambe, Dr. Duck, and Dr. Eden, to report their opinions. The Lords' proposal referred to the same referees.
- John Trendall - - He refused his oath and was ordered to be brought hither by next court day, and to be declared *pro confesso* if he refuse then.
- Edward Clench, Esq. - - Having paid in 30*l.* as costs of suit his petition was read, praying that his submission at Cambridge and Grantchester might be taken off. Referred to the Vice-Chancellor to certify the court the feeling of the University as to the enormity of Clench's scandal, when the court will proceed to a final ordering of this matter.
- Sir Edmond Plowden - - Nothing done.
- Francis Grove - - Taxation of costs. Appointed for next court day.
- fol. 17 *b.* Emanuel Bradley - - Taxation of costs. Appointed for next court day.
- John Everard, S.T.P. - - To consider of his sentence and submission by next court day. Referred to the votes of the doctors mentioned.
- Churchwardens of St. Bartholomew the Great, London. Dr. Duck to draw up his report and to present it by next court day to the court, touching the rate of the parish clerk's wages.
- Robert Hawkins - - The cause to be informed in and finally sentenced.
- Edward Parkhurst - - The like.
- John Tuckerman - - The like. To hear the decree touching Tuckerman's affidavit.
- fol. 18. John Perrott - - The like.
- Sir Henry Roswell - - His cause to be heard next court day.
- Crane and Draughton - - The like.
- Mary, wife of Paul Williams - Referred to the Commissioners at Informations to do therein as they shall conceive just.
- Harward and Beach - - The like.
- John Trendall, prisoner in the White Lion. He is to appear in custody of the keeper of the White Lion prison.
- fol. 18 *b.* Thomas Overman, of St. Saviour's, Southwark. Witnesses produced.

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- Nov. 21. Vol. ccccxxxiv. Robert Morecroft and others - The Commissioners at Informations having examined into the delays of defendants in speeding their commission, condemned them in expenses *retardati processus*, and assigned them to be taxed the next court day at Informations.
fol. 18 b.
- Sir Thomas Savage and Elizabeth Fountain. Referred to Sir Nathaniel Brent to report to the court whether he think fit this cause be dismissed or not. To go to proof.
- Edward Brooke, in a suit promoted by Jane, his wife. The referees not being able to compose the difference between Brooke and his wife, an order was issued for Brooke to be called to answer his wife's allegations of neglect and cruelty, and that a compulsory should issue out for witnesses to be examined.
- Erasmus Amy and Thomas Rey, *alias* Rea. To answer more fully. Appointed for next court day.
- fol. 19. Edward Bradshaw - - - The like.
- John Herbert - - - Taxation of costs. The like.
- Adrian Scroope and John Penruddock. Sir John Lambe to send for them.
- John Baker - - - To remain over for next court day.
- Robert Butterfield, M.A. - - Referred to the Bishop of Ely, Dr. Duck, and Dr. Eden, to consider of his petition.
- fol. 19 b. John Cooper - - - It is ordered. To appear by his proctor.
- Tomkins - - - The cause to go on.
- Thomas Seabrook - - - Appointed for next court day.
- Daniel Votyer, clerk - - - To be attached if he perfect not his answers by next court day.
- Thomas Hobert, physician - - Respited till next court day.
- John Adamson and Thomas Cook Appointed for next court day.
- fol. 20. William Stone, late of Wimborne Minster. To hear the decree concerning the re-delivery of the books of acts relating to the registry of Wimborne. Appointed for next court day. Dead.
- Thomas Grove, of Penn, co. Bucks; at the suit of his wife Anne. The wife complains of misusage, and desires expenses of suit and alimony to be allotted her. The court referred the hearing of both parties to Sir Nathaniel Brent and Dr. Gwynr.
- James Oades - - - Appointed for next court day.
- John Nicolas, butcher - - - The like.
- Fulk Goldsmith, John Wells, and John Plomer [Plummer]. It is ordered.
- fol. 20 b. Richard Tidd, clerk, and Richard Goodman. Appointed for next court day.
- William Crowder and others, of St. Martin's Outwich. To be enlarged out of prison and to acknowledge his fault here at the Board the next court day.
- William Waterman, clerk - His defence given in. Order for a commission for proof thereof, returnable the second session of next term.

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- Nov. 21. Vol. cccxxxiv. Robert Ingram and William They were ordered to answer additional
fol. 20 b. Covell, of St. Ives. articles before this day.
- Thomas Coster, clerk - - No exception taken against the fulness of
his answers. Licensed to appear by
proctor.
- fol. 21. Margaret Knott - - Referred to Dr. Gwynn to set down
order in this cause.
- William Woodroffe, clerk - He was monished to be examined before
this day. To be repeated before
next court day.
- Robert Reynolds, of Oxford. - To be attached for non-appearance.
- William Bodkin, of Henley, co. The like.
Oxon.
- John Browning and Henry Smith, The like.
churchwardens of Dursley, co.
Gloucester.
- fol. 21 b. David Jones and others - - Their brief to be put in before Christ-
mas.
- Richard Wheeler, clerk - - All proceedings in the second cause
against defendant ordered to be stayed
until the first cause be sentenced.
- John Vaux and others - - Promoter's brief brought in as ordered.
- Thomas Austen, clerk - - The reference to Sir Nathaniel Brent
and Dr. Gwynn continued, who are
to certify the court if Anthony
Whaley shall neglect to attend be-
fore next court day.
- fol. 22. Thomas Farding and George The court was informed that defendants
Boosey. had brought in their accompt of the
sequestration of the tithes of Terring-
ton, St. Clement's, and St. John's, co.
Norfolk, by which it appeared that
they had expended more than they
had received, and therefore desired
that they might be dismissed with
allotment of the surplusage of their
expenses from the now rector, Dr.
Ward; the consideration of which
accompt and motion the court re-
ferred to Sir John Lambe and Dr.
Duck.
- William Baspoole, prisoner in the His petition read. Ordered to be
Compter, Southwark. released, paying fees.
- Edward Kidd, clerk - - Appeared, but finding no articles in the
register against him, applied for per-
mission to depart, which was granted,
until the first session of next term.
- James Rawson, clerk, vicar of Depositions published, and the cause
Milton Abbas, co. Dorset. assigned to report.
- Edward Shove - - Ordered that additional articles be ad-
mitted *quoad probationem*.
- fol. 22 b. Daniel Frere - - If not examined to be attached.

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Nov. 21. Vol. ccccxxxiv. Thomas and John Thayer
fol. 22 b.

- Petitions of both parties rejected, but the certificate of the judges relative to the arrest of William Clarke read. Referred to the Commissioners at Informations to consider whether the arrests were made at the communion table in the church of Brockworth, co. Gloucester, in which case this suit to be proceeded in, but otherwise defendants to be discharged.

Thomas Hesketh, of Moreton

- It is done.

Henry Kerrill

- -

- To be attached if he pay not the fees of John Wragg, the messenger, before next court day.

John Holloway, of Rodden, co. Somerset.

An attachment decreed if he appear not before next court day.

Francis Buckland and Richard Norton.

A commission decreed for taking the answers of Buckland in the country; and Norton, having been sworn, it was referred to the Commissioners at Informations to determine whether he be dismissed upon relinquishing his interest in the chapel of Collesford [Colford, co. Dorset].

fol. 23.

Edward Davies

- -

- The counsel for the office had till this day to consider of his answers.

Nicholas Downey, clerk

-

- Referred to the Commissioners at Informations.

Walter Vesey

- -

- His wife's petition having been read, the reference of this cause to the Bishop of Oxford was confirmed, and both parties dismissed from further attendance.

Mark Corbold and Susan Copping

A new attachment decreed against defendants for nonpayment of costs and non-performance of their penances, with an intimation of 100*l.* fine in case they appear not the first court day of next term, with an order that Tirrold be called up to answer his contempts.

Ralph Burton

- -

- His answers having been given in, and no further proceedings taken against him, nor any prosecutor, it was desired that he might be dismissed, which motion was referred to Sir John Lambe.

fol. 23 b.

John Vynor, clerk

-

- To pay costs of suit before he be discharged from the messenger's custody.

Richard Boulton

-

- To be committed to the Fleet, and the articles to be made ready before next court day.

Henry Tayler and Susan, his wife

Again dismissed, according to the tenor of the former order.

Hugh Pitcher

- -

- Referred to Dr. Duck to set down order between Pitcher and his wife.

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- Nov. 21. Vol. cccxxxiv. John Saunders - - - The cause concluded and assigned to report.
 fol. 23 b.
- fol. 24. David Rogers - - - Referred to Drs. Duck and Eden.
 Sir Roland Egerton and James Doed. This being the counterpart of a suit against John Creswell, defendants pray that this likewise may be referred to the Ordinary. Referred to Sir John Lambe to consider whether the cause be cognizable in this court.
- Anthony Sanderson - - - An intimation of 20*l.* decreed if he appear not before next court day.
- Matthew Westmorland, Anne Ballard, and John Jerome. Ordered that before Anne Ballard be released from the Compter prison she shall give bond in 500*l.* to avoid Westmorland's company, except in public, and that Jerome be dismissed from further attendance, with his costs, unless articles come in against him before next court day.
- Ralph Poole - - - Defendant to pay arrears of alimony, and then the cause to be referred to the Commissioners at Informations to consider of the professed reconciliation.
- fol. 24 b. Daniel Berry, clerk - - - An attachment decreed.
 Samuel Thomas, Esq., of Boston, co. Lincoln. An attachment, with an intimation to issue out against him if he appear not the next court day.
- John Shipley and others - - Referred to the Commissioners at Informations to consider of the prohibition out of the King's Bench, and to report to the court as to the advisability of proceeding.
- Nicholas Johnson, of Canterbury An attachment decreed if he appear not by next court day.
- Samuel Evans, clerk - - - The cause to go to report as it now stands.
- fol. 25. Dr. Downe - - - A release of his suspension sent to the Bishop of Exeter, and to make his submission and certify by next court day.
- John Gwynn, clerk - - - An attachment decreed against Drake. If the promoter pay not the expenses before next court day to be attached.
- Lewis and Philip Morgan - - The case against the former dismissed, and that against the latter referred to the Commissioners at Informations; insufficiency of the promoter.
- Mr. Ballett - - - To hear the decision; whether it were Ballett's fault that he was not in the court; if so, then costs.
- West and Bostock - - - A motion by Dr. Clerk.
- fol. 25 b. Roger Corham - - - An attachment decreed, with an intimation of 20*l.* if he appear not before next court day.
- Sir John Rouse - - - Nothing done.
- Mr. Woodward - - - An attachment decreed.

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- Nov. 21. Vol. ccccxxxiv. Thomas Cotton and Dorothy Thorneton. Their petition read, praying that they might be released from confinement in Stafford gaol, where they had remained these four years in great misery, upon entering their own bonds to perform the sentence of this court; the consideration of which was referred to Sir John Lambe.
- Bambury and others - - To appear by letters the next court day.
- Thomas Wild - - Additional articles admitted for examination of witnesses.
- fol. 26. Robert Hawkins and Joan Bache, of Great Bedwin, co. Wilts. They were pronounced contumacious for non-appearance, and the court decreed to proceed to the final hearing and sentencing of this cause. The adultery being proved against defendants, they were sentenced to do penance in their parish church of Great Bedwin, and Hawkins fined 500*l.*, besides costs of suit; lastly, an attachment was decreed to commit them to prison until they shall have given bond for performance of this sentence.
- ol. 28. Do. - - Note of the awards of the several commissioners stated separately in the above cause.
- Fulk Goldsmith, John Wells, and John Plummer. Ordered by the referees that no further proceedings be had in this cause until a sufficient promoter be bound to prosecute.
- Nov. 25. fol. 28 *b.* Edward Broughton, of Kington, co. Hereford. Appeared and took oath to answer articles.
- fol. 29. Thomas Cotton and Dorothy Thorneton. Ordered by Sir John Lambe, to whom this cause was referred, that the defendants be released out of prison upon entering into bonds of 100*l.* each to stand to the definitive sentence and order of this court, and to perform their penance for adultery as enjoined them, in the church of St. Michael, near Lichfield, on the 12th January 1640, and in the cathedral of Lichfield on the 19th of the same month, according to a schedule of penance, whereof they are to certify the second session of Hilary term next; and thereupon they were released.
- fol. 29 *b.* Thomas Grove, of Penn, co. Bucks. Condemned in expenses of suit and alimony to his wife, the former being taxed at 40*s.* The referees further decreed a commission for proof of cruelty alleged, the same to be returned at the first session of Hilary term next.
- Nov. 26. fol. 28 *b.* Jane, wife of Edward Brooke, at the suit of her husband. Witnesses produced and sworn for the defence. Nothing paid.
- Do. - - The like.
- Nov. 27. fol. 29 *b.* Samuel Thomas, of Boston, co. Lincoln. Appeared and took oath to answer articles.

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ACTS OF THE COURT OF HIGH COMMISSION.

- Nov. 28. Vol. ccccxxxiv. Nicholas Downey, clerk - - Ordered to make his answers by the second court day of next term.
fol. 28 b.
- Francis Buckland and Richard Norton. The protestation of the former, touching his surrender of [Colford] chapel, was admitted, and ordered to be entered upon the register; and the answers of the latter being adjudged full, he was licensed to depart and appear by his proctor.
- fol. 30. Theophilus Earl of Lincoln - Appointed for next court day. Referred to Sir John Lambe and Dr. Duck.
- The churchwardens of St. Bartholomew the Great, West Smithfield. Dr. Duck's report on the wages to be allowed to the parish clerk given in and confirmed by the court.
- Robert Ramsey - - - To appear and show cause the next court day, or else his bond to be certified.
- [Samuel] Wethered - - Referred to Dr. Duck to take order about the 40*l.* left in the registry.
- John Trendall - - - The articles to be viewed by some of the commissioners, and if Trendall then take not his oath by the next court day to be declared *pro confesso*; liberty with his keeper to confer with any divine.
- Emanuel Bradley - - - Costs taxed at 10*l.*
- [Thomas] Curtys - - - Appeared and was sworn.
- fol. 30 b. Robert Hawkins and Joan Bache Mitigation and his penance, both to stand over till mitigation day.
- Robert Harward and Ambrose Beach. Referred to the Bishop of Winchester to inquire as to who was answerable for the profanation of the chapel, and to report to the court. The promoter's costs to stay till then.
- Sir Henry Roswell - - His cause to be heard.
- Edward Parkhurst, grocer - The like.
- Samuel Wethered, John Hook, and Henry Garrett. Their petition referred to Dr. Duck.
- fol. 31. Crane and Draughton - - It is sentenced.
- Theophilus Earl of Lincoln - Reference to Sir John Lambe and others continued. They are to consider of the Earl's proposals, and to report to the court what they shall think fit.
- John Tuckerman - - The like.
- John Perrott - - The like.
- Inhabitants of Rodden, co. Somerset. Godsall to go on with the work and to certify what they have done by the first day of Trinity term next.
- fol. 31 b. Thomas Evans, prisoner in the North Gate, Gloucester. His petition read for mitigation of his fine of 20*l.*, he having settled all his estate for his wife's maintenance. He had been imprisoned in Gloucester gaol and the Fleet, for nonpayment of alimony, above 12 months. His petition was then referred to Benjamin Holford, his Majesty's receiver of fines and forfeitures ecclesiastical, with a request that he would show petitioner what favour he could.

ACTS OF THE COURT OF HIGH COMMISSION.

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- Nov. 28. Vol. ccccxxxiv. John Jones, of Aberdare, co. Glamorgan. His appearance respited till the first day of Hilary term.
- Edward Broughton, of Kington, co. Hereford, *alias* Richard Boughton. He appeared in custody of his keeper, and being demanded whether he would take his oath to answer articles in form of law to be ministered against him, he desired he might have liberty and conference to satisfy himself touching the lawfulness of it before he took it, to which the court favourably inclined, and he accordingly was respited upon giving bond until the first court day, and his fees being paid, was ordered to be enlarged out of the Fleet prison. He was enjoined upon his enlargement to address himself to some grave divines for conference on this behalf, and to certify the court thereof by the first session of next term.
- fol. 32. Everard Goodman and others - A commission granted.
- George Harris - - - An attachment to issue if he be not examined on the additional articles this week.
- Mary, wife of Paul Williams - Ralph Jackson to be bound to follow before next court day, or else the cause to be dismissed. Bond is given.
- Erasmus Amy and Thomas Rea. To consider of their answers.
- fol. 32 b. John Herbert, gent. - Taxation of costs. Appointed for next court day.
- John Baker - - - Order set down in this cause by Dr. Aylett.
- Robert Butterfield, M.A. - Appeared and took oaths of allegiance and supremacy. He was admitted into the Church of England, but in regard the sealing of his orders was suspected, he was required to search the registry, and monished not to preach nor execute any part of his divine function till he show some good title in the Church.
- Daniel Votyer, clerk - - Appointed for next court day.
- fol. 33. Thomas Hobert, physician - His bond was ordered to be certified and himself attached if he appeared not this day. Deferred till next court day.
- John Adamson and Thomas Cooke. It was referred to Sir John Lambe to set down order in this cause. It is done.
- William Stone, clerk, late of Wimborne Minster. The court was informed that the cause against Mr. Stone was long since sentenced and he deceased. Ordered that the books of acts and all other writings concerning the registry of the peculiar jurisdiction of Wimborne should be delivered out of the registry of this court to the registrar of Wimborne or others whom they may concern.

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- Nov. 28. Vol. cccxxxiv. Robert Morecroft and others - Taxation of costs at 10l.
fol. 33 b.
- John Nicolas, butcher - - Appointed for next court day.
- Richard Tidd, clerk, and Richard Goodman. One charge against Tidd being that he had entertained Goodman to be his curate, knowing him to be a layman and not a minister, the court ordered that the original certificate out of the Bishop of London's registry should be produced before the Commissioners at Informations, who are to report their opinions on this matter the first court day of next term.
- Robert Ingram and William Covell, of St. Ives, co. Hunts. They are examined.
- fol. 34. Margaret Knott - - Reference to Sir Nathaniel Brent and others to set down order in this cause.
- William Woodroffe, clerk - His additional articles not fully answered.
- Thomas Austen, clerk - - To consider of the churchwardens' accounts by next court day.
- Thomas Farthing and George Booseby. Referred to Sir John Lambe and Dr. Duck to set down order in this cause by next court day.
- fol. 34 b. William Baspoole, prisoner in the Compter, Southwark. He acknowledged his fault and was dismissed.
- James Rawson, clerk - - This cause concluded, and assigned to report.
- Daniel Frere - - - Appeared and was sworn, and ordered to be examined within these six days.
- Thomas and John Thayer - Bond to be given by the promoter for proof of the arrest in the chancel of the church, or else good costs to be paid to defendants.
- fol. 35. Francis Buckland and Richard Norton. To hear the decree of the court so far as relates to the dismissal of Richard Norton.
- John Powell - - - Referred to Sir John Lambe and Dr. Eden to consider the application for Powell's dismissal from further attendance and the cancelling of his bond.
- Peter Coustrier, of St. Sepulchre's, London. He desires his petition to be read. Sadler and Cornelius Bee to answer articles to be given in against them, and Coustrier to be committed to the White Lion prison if he give not bond to abide the sentence of this court.
- Nicholas Reynolds and Elizabeth Holland. To appear by letters.
- fol. 35 b. Nicholas Downey, clerk - Examination by commission. It is done.
- Ralph Burton - - - The cause dismissed.

ACTS OF THE COURT OF HIGH COMMISSION.

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- Nov. 28. Vol. cccxxxiv. Richard Boulton, prisoner in the Fleet. Respited for his oath till the first day of Hilary term next, and to be enlarged upon giving sureties then to appear.
- fol. 35 b. Hugh Pitcher - - - Referred to Dr. Duck to set down order in this cause by next court day.
- fol. 36. David Rogers - - - The referees having set down order in this cause it was dismissed.
- Sir Roland Egerton and James Doed. Referred to Sir John Lambe to set down order in this cause by next court day.
- Anthony Sanderson - - - The intimation of 20*l.* for non-appearance issued out and ordered to be certified into the Exchequer if he appear not by the first court day of next term.
- John Jerome - - - No articles having been put in against him, order was now given for his dismissal, with costs, which are to be taxed the next court day.
- fol. 36 b. Thomas Cotton and Dorothy Thorneton. Order set down in this cause by Sir John Lambe.
- [John] Shipley and others - Referred to the commissioners at Informations and admission of witnesses.
- Nicholas Johnson - - - To be attached for non-appearance.
- Philip Morgan, of Skenfreth, co. Monmouth. If a sufficient promoter could not be found, then this cause to be dismissed.
- fol. 37. William Crowder and others - Appointed for next court day.
- Christopher Withens, of Eltham, Kent. Dismissed from the payment of alimony and expenses because his wife rejected the award of the Bishop of Rochester.
- Thomas Lamb, of Colchester - It is ordered.
- Edward Brooke - - - Publication on the part of Jane Brooke decreed.
- fol. 37 b. John Ashton, prisoner in the Fleet. The court, considering the extremely vexatious prosecution instituted against John Tayler, clerk, vicar of Hemel Hempstead, Herts, in two suits, the first begun by Mr. Combe, and the other by Ashton, his agent, condemned the latter in 50*l.* costs of suit to Mr. Tayler, who, in the previous suit, had been fined 50*l.* costs to Mr. Combe.
- Thomas Curtys, clerk - - - Referred to Sir John Lambe to consider whether the suit against defendant on the charge of drunkenness and adultery should be proceeded in or referred to his ordinary.
- Edward Bagshaw, of the Middle Temple. This cause to stay until Easter term next, when, in the event of matters not having been composed in the meantime, to proceed.
- Thomas Jennings and others - A commission granted, returnable by the first day of Hilary term.

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ACTS OF THE COURT OF HIGH COMMISSION.

- Nov. 28 Vol. cccxxxiv. John Herbert - - - His appearance respited till next court day.
fol. 37 b. Edward Shove - - - Proofs to be made by the second session of next term, for which a compulsory was decreed.
- fol. 38. William Banbury, *alias* Powis, Margaret his wife, and Thomas their son. An attachment to issue out against them for non-appearance.
- Philip Stickloe - - - Referred to Dr. Eden to tax the notary's charges.
- Thomas Woodward - - - Anne Lake produced as witness.
- Thomas Coster, clerk - - - A commission decreed.
- Edward Shove, clerk - - - To make all haste.
- Edward Lacy - - - Ordered to go to report.
- fol. 38 b. William Shuttleworth - - - There is a promoter. A commission decreed.
- Robert Hazelwood, clerk - - - His defence being first admitted, a commission was decreed for making his proofs before the first court day of Hilary term next.
- William Waterman, clerk - - - The cause deferred to the second session of Hilary term, and a commission decreed.
- fol. 39. Thomas Grove, in a suit promoted by Anne his wife. To be attached for non-payment of costs.
- John Sanders, of Yatton, co. Somerset. The defence to be admitted, and order taken for payment of costs by the Commissioners at Informations the next court day.
- Milo Burkitt - - - A motion by Dr. Roan.
- Sir William Ford - - - Referred to Sir Nathaniel Brent and Dr. Gwynn whether the commission shall be renewed.
- Edward Clench - - - The certificate of John Cosin, D.D., Vice-Chancellor of Cambridge, having been read and approved by the court, the case was dismissed.
- fol. 39 b. Richard Pritchard, clerk - - - An attachment decreed if defendant pay not the 40s. to Richard Bragg, public notary, by the first court day of next term.
- Thomas Milles, clerk - - - An attachment decreed if the costs be not paid by the first day of Hilary term next.
- Edward Davies - - - To consider of the answers.
- John Lake, clerk - - - Nothing done.
- Richard Fowler - - - A commission decreed.
- fol. 40. William, George, and Robert Sanders. An attachment decreed if they appear not before next court day.
- George Seton, S.T.P. - - - To proceed to proof with all speed.
- Nightingale Kyme - - - His bond to be certified into the Exchequer if he appear not before next court day.
- Alexander Vanenden - - - The suit to stay till defendant pay his wife, and then to move the reading of his petition.

ACTS OF THE COURT OF HIGH COMMISSION.

1639.

- Nov. 28. Vol. ccccxxxiv. fol. 40. Samuel Evatt, barber, citizen of London, at the suit of his wife Barbara. His petition having been read it was ordered that he pay 4*l.* to his wife's use before he be enlarged from the messenger's custody, when the referees to set down further order.
- fol. 40 *b.* Christopher Eyres or Ayres; at the suit of his wife Mabell. His petition read and referred to Sir John Lambe.
- John Haymmet, *alias* the parishioners of St. Saviour's, Southwark. The final hearing and ordering of this cause referred to the Bishop of Winchester.
- John Sterling, of Abchurch, London. He appeared and was sworn, when additional articles were introduced.
- Samuel Evans - - - The cause concluded except the promoter's answer.
- Hagar and Hagar - - - Appointed for next court day.
- James Oades - - - The cause to go to report and publication of depositions.
- Samuel Evatt - - - He desires his petition to be read; ordered to pay 4*l.* to his wife presently.
- Philip Winston - - - The cause is dismissed.
- fol. 41. Crane and Draughton - - - The awards of the several commissioners in this suit are here stated separately.
- Nov. 29. fol. 28 *b.* Robert Moorecroft, Henry Featley, and Richard Panne, of Cherry Willingham, co. Lincoln. Thomas Shorte, the promoter in this cause, appeared, and was sworn to answer defendants' allegations, and was monished to be examined before the next court day.
- fol. 29. Thomas Woodward, of Lincoln's Inn. Witnesses produced and sworn on the part of the prosecution. Nothing paid.
- Peter Consterier, of St. Sepulchre's, London. Appeared and took his oath and was monished to be examined.
- Dec. 2. Thomas Banbury, *alias* Powis, of Newbold Pacey, co. Warwick. The like. Attachment superseded. To appear at Lambeth the first session of Trinity term next.
- Dec. 3. fol. 41 *b.* Sir Roland Egerton, knt. and bart., and James Doed, of Farthinghoe, co. Northampton. This cause having been referred to Sir John Lambe, he remitted it so far as Doed was concerned to the Arches Court, but ordered Sir Roland to be freed from further attendance.
- fol. 42. Richard Wheeler, clerk, in the second cause. The consideration of the petition on behalf of the promoter referred to Sir John Lambe. A commission granted to the promoter to prove the articles and additional, the same being made returnable the first session of next term.
- fol. 44. Samuel Evatt, barber; at the suit of Barbara his wife. The commissioners did confirm and ratify their former order of November 11, and further directed that defendant be detained in the messenger's custody by virtue of an attachment previously granted against him, until he should sign and deliver the assignment settling 10*l.* per annum to his wife's use, out of the profits of a certain tenement which came to him by his marriage with the said Barbara.
- fol. 46. Samuel Evatt - - - Another copy of the preceding entry.

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ACTS OF THE COURT OF HIGH COMMISSION.			
Dec. 6.		John Brown, S.T.P., a Scotchman	He appeared and was sworn.
Dec. 9.		Mary, wife of Paul Williams	- Witnesses on the part of the promoter produced and sworn.
Dec. 13.	fol. 41.	Thomas Curtys, clerk, vicar of Martock, co. Somerset.	Sir John Lamb as referee in this cause, having investigated the pretended crimes of adultery and drunkenness alleged against defendant, with the sanction of Archbishop Laud put an end to this cause. It was therefore ordered by Sir John, that inasmuch as Mr. Curtys had given a satisfactory sum of money towards the re-edifying of St. Paul's Church, London, that this cause should be dismissed, and upon payment of the notary's fees, the said Curtys should be discharged from further attendance and his bond cancelled.
	fol. 41 b.	The churchwardens of St. Bartholomew the Great, London.	Dr. Duck, chancellor of the bishop of London, made his report to the court touching the rate of wages which ought to be allowed to the parish clerk of St. Bartholomew's, the which was approved and confirmed.
		The inhabitants of Rodden, co. Somerset.	The inhabitants not being able to agree amongst themselves about the particular repairs required by their chapel, the offer of the promoter, William Godsall, to perfect the same for 250 <i>l.</i> was approved, besides which the promoter at his own charges had undertaken to build and repair the chancel.
Dec. 16.	fol. 46 b.	Richard Downe, S.T.P.	- - Order made by the referees for the performing of Dr. Downe's submission according to the form here set down.
Dec. 19.	fol. 47.	Elizabeth Barcroft, Thomas Bulkley, and John Barcroft.	Names of witnesses on the part of the defence produced and sworn.
Dec. 21.		Mary, wife of Paul Williams, of the Savoy.	The like on the part of the promoter in this cause.
Dec. 24.		Do. - - -	- More witnesses produced and sworn.

RETURNS MADE BY JUSTICES OF PEACE,

FROM JULY TO DECEMBER 1639,

Most of them relating to Measures for Relief of the Poor, taken in pursuance of the King's Book of Orders and the Instructions of the Council.

Date.	For what Place.	Nature of Document.	Reference to Document.
July 12.	Hundreds of Blackheath, Bromley, Ruxley, and Lessneth, Kent.	Certificate of Justices of Peace of poor children bound apprentices and rogues punished.	Vol. ccccxv., No. 59. 1 p.

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RETURNS MADE BY JUSTICES OF PEACE.

Date.	For what Place.	Nature of Document.	Reference to Document.
July 16.	Rape of Hastings, Sussex.	The like from 30th June 1638 to this date.	Ibid., No. 85. 2 pp.
July 17.	The lower division of the Lathe of Sutton-at-Hone, Kent.	The like from 27th Sept. 1638 to this date. Apprentices bound, 31; rogues punished, 93.	Ibid., No. 93. 3 pp.
July 18. Chichester.	The rape of Chichester, Sussex.	The like for six months past. Apprentices bound, 26; rogues punished, 20.	Ibid., No. 99. 1 $\frac{3}{4}$ p.
July 19.	Hundreds of Coptborne and Effingham, Surrey.	Justices of Peace to the Judges of Assize. Returns of names of apprentices bound, with those of their masters; and of vagrants punished.	Vol. ccccxvi., No. 9. 1 p.
July 20.	The Downish division of the rape of Bramber, Sussex.	Certificate of the Justices of Peace of general conformity with directions contained in the Book of Orders.	Ibid., No. 19. 1 p.
July 20.	The rape of Arundel, Sussex.	Similar certificate - -	Ibid., No. 20. 1 p.
July 22.	The rape of Lewes, Sussex.	Justices of Peace to the Judges of Assize. Certificate of vagrants punished, alehouses suppressed, and apprentices bound.	Ibid., No. 36. 1 p.
July 22.	The Lewes division of the rape of Bramber, Sussex.	Certificate of the Justices of Peace of general conformity with directions contained in the Book of Orders.	Ibid., No. 37. 1 p.
July 29.	Hundreds of Barstable and Chafford, and half hundred of Becontree, Essex.	Justices of Peace to Judges of Assize. Certificate of proceedings in accordance with the Book of Orders.	Ibid., No. 67. 1 p.
July 31.	Hundreds of Edwinstree and Odsey, Herts.	Justices of Peace to Judges of Assize. Similar Certificate.	Ibid., No. 73. 1 p.
July.	Hundred of Axton and ville of Dartford, part of the lathe of Sutton-at-Hone, Kent.	Certificate of the Justices of Peace of apprentices bound and vagabonds punished.	Ibid., No. 87. 2 pp.
July.	Hundreds of Kingston and Elmbridge, Surrey.	The like of apprentices bound, vagabonds punished, and alehouses suppressed.	Ibid., No. 88. 1 p.
Aug. 1.	Half hundred of Hitchin, co. Hertford.	Justices of Peace to the Judges of Assize. Certificate of their obedience to the Book of Orders. No felonies since the last assizes.	Vol. ccccxvii., No. 3. 1 p.

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RETURNS MADE BY JUSTICES OF PEACE.

Date.	For what Place.	Nature of Document.	Reference to Document.
Aug. 1.	Hundreds of Hertford and Braughin, co. Hertford.	Certificate of Justices of Peace that attention had been given to the execution of the instruction laid down in the Book of Orders.	Ibid., No. 4. 1 p.
[Sept?]	Middlesex and Essex -	Certificate of Justices of Peace. There is great plenty of corn of all sorts, insomuch as husbandmen and farmers complain that they will not be able to discharge their rent and subsist, unless permitted to ship some quantities to foreign markets. Wheat, 30s. per quarter the best, 26s. the second sort; rye, 14s.; barley, 18s.; oats, 10s.; peas, 16s.; beans, 16s.	Vol. cccxxix, No. 103, $\frac{3}{4}$ p.

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1639-40.

Jan. 1. 1. Account of new year's gifts given at the court to officers and servants annually by the Archbishop of Canterbury. Sum total for the year 1639-40, 30*l.* 17*s.* 6*d.* [1 p.]

Jan. 1. 2. Sir Michael Ernley to Sec. Windebank. I answered your letter of the 26th yesterday, and received another of the 28th ult. this morning. I understand you have intelligence that the Covenanters are providing ladders at Edinburgh. Two days since I sent an honest gentleman to Edinburgh to discover and give me notice what is stirring there. You may assure his Majesty that no care nor diligence shall be wanting in me, and I doubt not but I will be able to withstand any force they can bring against this place, if only the townsmen be not false, whose treachery I more fear than the strength of the Scots. I will do my utmost endeavour to prevent both. I have received a letter from the deputy lieutenants of Northumberland promising the 8th inst. to call two companies, viz., Capt. Mustian and Capt. Swinno's, which will be in Berwick by the 10th or 11th inst. Car, the postmaster of this town, has kept back my letters one or two days, notwithstanding express order that they should go immediately. [*Seal broken.* 1 p.]

Jan. 1. 3. Capt. Charles Lloyd to the same. I have followed your command. I inspected Hexham, which in regard of its circuit will be equal to Berwick, and being overlooked by hills, and lying half a mile from the water, which is fordable almost at any time, I think it not worth the charge [of fortifying]; besides it stands in a place where no carriages can come or go to the Borders. There are two towers defensible enough on the south side overlooking the town and river, in which 150 musketeers might be placed to defend the

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town from incursions, for an army cannot march that way without great difficulty, but ordnance I would not trust in them. Werk castle is so ruinated that I fear it will not be worth the time and charge, and the circuit so large that it would require more men to man it than I think fitting to hazard, for although it be a passage, yet either below or above it are as many as they [the Scots] might please to use. It would be an alarm place for the Borders, and that I conceive to be all. [*In margin*, "nothing."] Norham Castle may be made defensible at a small charge for 40 or 50 men, who would be sufficient, seeing this garrison at Berwick is so near. I think it were fitting there were some men placed therein as well to give an alarm, if occasion offer, to this town, as to hinder small incursions. [*Margin*. "To be done. Directions to be given to the Governor of Berwick to put in the men."] I have heard that there are some foot soldiers to come into this town, I hope you will pardon me if I shoot my other bolt in recommending to your consideration some horse, which would be a great safeguard for the town, especially by night. [*Margin*. Thank him for it, and let him know that order is given already.] My works I prosecute with as much speed and diligence as the time and weather will permit; nothing new as yet I can present to you. Thus I humbly crave his Majesty's good opinion to think me dutiful and observant. [*Seal broken*. 1 p.]

Jan. 1.
Berwick.

4. George Payler, paymaster of the Berwick garrison, to [Sec. Windebank]. I replied to your letter of the 19th by the last post. Sir Michael Erneley has informed me that more forces are to be added to the garrison of Berwick, raised out of the train-bands of Durham and Northumberland, to be conducted hither by Capt. Gifford, and that by your command I am to repair to Newcastle to advance money to them. I desire to be informed when their entertainments shall begin, that so I may proceed with regularity in my accounts. In the interim I will be in readiness at Newcastle to disburse what shall be requisite for their transmission. [*Margin*. From the time they go from Newcastle; from the time the muster taken there.] The fortifications here are prosecuted forcibly, and since there must be a continuation of those works, it were assuredly for his Majesty's advantage and the advancement of the work to contract by the rood [rod?] for performing what is intended, the day labourers being insufferably slothful and dilatory; besides his Majesty is charged with overseers and sundry officers whose attendance but little advances the proceedings. I tender this to your consideration, for Capt. Lloyd, the director, is not as yet persuaded to this way of working, and is now absent upon the execution of your commands. [*Margin*. By the rod, and to advise with Sir Michael Erneley and Capt. Fludd [Lloyd] in advising about it.] The posts in these parts are often negligent, and do wilfully retard letters of importance, which are directed with much haste to London, whereby not only myself but many others suffer, but we hope you will redress this abuse.

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Jan. 1.
Aldermaston.

5. Sir Humphry Forster to [the same]. I shall never be able to deserve this noble favour which you are pleased to place upon me. My uncle, Capt. George Kingsmill, died in my house at Aldermaston in April last, leaving 150*l.* in gold, which I kept safe, conceiving it were his own, and whereby I might the better be satisfied the charge for doctors, physic, diet, and funeral. Since that my brother, Sir Richard Kingsmill, has taken out letters of administration. I shall be glad to restore the remainder in my hands, so that I may have some legal discharge. Thus beseeching you to preserve me from the complaint of the French ambassador to the King, I rest intending to come and kiss your hands at London so soon as my health will give me leave. [*Discoloured by damp.* 1 *p.*]

Jan. 1.
Office of
Ordnance.

6. Certificate from the officers of ordnance what gunpowder has been brought into his Majesty's stores in the Tower and at Portsmouth, also what has been sold out of the same since the 1st December 1639. Totals, powder now in store 238 lasts 18 cwts. 11 lbs.; money raised by sale of powder in December 1639, 90*l.* [2 *pp.*]

Jan. 1.

7. Notes by Nicholas, of interest to be received by him for various sums lent to Sir Wm. Russell, Mr. Orlibeare [George Orlabier], John Ashburnham, and Lady Chicheley. *Dorso.* At Christmas last I had but 12 years to come in my house in Westminster, and at Michaelmas last but 3 years to come in my water there. [$\frac{1}{2}$ *p.*]

[Jan. 2.]

8. Petition of Edmund Chapman, your Majesty's servant, to the King. In Hilary term twelvemonth, Matthew Grymes and Thomas Reeves, two known desperate fellows, having drawn their swords upon petitioner in the street without any cause or provocation, he in his necessary defence accidentally gave a slight hurt to Grymes in the arm, of which hurt Grymes, through disordering himself, died about three weeks after. After Grymes' decease his wife, to wring some composition from petitioner, procured one of the coroners of Middlesex to impanel a jury, who, being all the widow's neighbours, found that Grymes died by reason of the said hurt, and presented a "fugacy" against petitioner, although he never absented himself, for he did nothing but in just defence. The worst that the jury could make of it was manslaughter, which is within compass of your Majesty's accustomed grace and mercy, and the lawful privileges of clergy in such cases. Yet he fears lest other indictments and troubles should be brought against him and his servant Matthew Standley, though the latter was not present at the affray, whilst absent here upon your Majesty's service. Prays your Majesty to grant him and his servant your gracious pardon for the offence, whatever it may be drawn into, and to remit all forfeitures, punishments, penalties, and indictments for the same, and to give order

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therein accordingly for stay of all further troubles and proceedings therein. *Underwritten,*

8. I. *His Majesty's pardon for the above offence as desired, for which the attorney-general is required to prepare a bill for signature and to stay all further prosecutions.* [1 p.]

Jan. 2.

9. Petition of the same to the same. To the same effect as the preceding. *Underwritten,*

9. I. *Grant of pardon to petitioner, as on the preceding petition, but signed by Sec. Windebank.* Whitehall, 2nd January, 1639-40. [1 p.] *Annexed,*

9. II. *Grant of pardon to petitioner and his servant.*

Jan. 2.

10. Certificate of Sir John Heydon, lieutenant of the ordnance, in reply to a Council order touching a declaration to be made of the fees received and claimed by the respective officers and clerks of the ordnance. He never demanded or received any more or other fee, allowance, or acknowledgment but only the 6*d.* in the pound that from the first institution of the office was allowed in consideration of the charges necessarily expended in receiving and discharging the moneys of the crown. His entertainment without allowance of poundage being only 138*l.* 13*s.* 4*d.*, he prays the Lords to move his Majesty for the confirmation thereof, so as at least he may have the fruition of those fees and rights which by his Majesty's letters patent were so amply conferred upon him the first day he served as upon any of his predecessors in that office. [1 p.]

Jan. 2.

11. Answer of Francis Coningesby, surveyor of the ordnance, to the Lords' directions signified by Nicholas the 16th December 1639. He never received any fee from any artificer or others delivering provisions into his Majesty's stores, except occasionally a small voluntary gift. He has never upon any consideration advanced the king's price for any private ends. His fee in the exchequer is 36*l.* 10*s.*, and his allowance upon the ordinary of the office of ordnance 56*l.*, making a total of 92*l.* 10*s.* per annum, of which he is at this time 1½ year in arrear. Hopes the Lords will conceive this to be only a competent allowance for his daily pains and attendance in his office, considering the dearness of all provisions in these times. There was formerly paid to his predecessor by the gunpowder maker 200*l.* per annum, and since his coming into the office he has received of Mr. Evelyn 50*l.* per annum, but this has been discontinued by Mr. Cordewell. [1 p.]

Jan. 2.

Office of
Ordnance.

12. The like of Edward Sherburne, clerk of the ordnance. The fees attaching to his office are, out of the exchequer 36*l.* 10*s.*, and out of the ordinary upon the quarter books 68*l.* 5*s.*, making a total of 104*l.* 15*s.* per annum, of which he is at this time 1½ year in arrear. There was formerly paid by Mr. Evelyn 40*l.* per annum, which has been discontinued since the present gunpowder maker

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[Mr. Cordewell] has been employed. Does not doubt but that the Lords, taking into consideration the continual and extraordinary pains and attendance which his Majesty's service has required for these four last years both by sea and land, and the dearness of all manner of provisions, house rent, &c., in respect of former times when 12*d.* would go further than 10*s.* in these days, will vouchsafe their mediation to his Majesty in his behalf for such further increase of wages as they shall think fit. Travelling charges 25*s.* per diem when employed, besides 10*s.* per diem for his clerk. [1 *p.*]

Jan. 2.

13. The like of Richard March, keeper of the stores in the office of ordnance. His fees out of the exchequer are 54*l.* 15*s.*, and out of the ordinary 60*l.*, making a total of 114*l.* 15*s.* per annum. The fee of the keeper of small guns formerly held by his predecessors was 65*l.* 5*s.*, but from which he is excluded. There was formerly paid by Mr. Evelyn 40*l.* per annum, which has been discontinued by the present gunpowder maker. Submits to the Lords' consideration whether his standing fee, which was settled in the time of Henry VIII., when 12*d.* went further than 10*s.* now, be a competency for his daily attendance in his office. Travelling charges 25*s.* per diem when employed, besides 10*s.* per diem for his clerk. [1 *p.*]

Jan. 2.
Whitehall.

14. Orders of the Committee of Council for War, to be entered on [the Council Register] according to date. The following members were present, Lord Treasurer, Marquis of Hamilton, Lord High Admiral, Earl of Newport, Lord Conway, Wentworth Lord Deputy of Ireland, the Treasurer of the Exchequer, and Sec. Windebank. It was this day ordered by the Lords that John Walley, keeper of the Council chest, be appointed to find paper, pens, and ink for this Council of War, as was used to be done for former Councils of War, and that Henry Keyme and Edward Stockdale, two messengers of the chamber, be appointed to attend upon the said Council. Sir William Uvedall is by his Majesty's appointment to have the charge of issuing moneys concerning his Majesty's services which are referred to this Council, and is to be Treasurer of the Army with like commission as in last year's expedition into the north, to which purpose a copy of his former commission is to be brought on Saturday next for consideration by the Lords. It was this day resolved by the Lords that there shall be forthwith 400 foot raised by way of press in the counties of Nottingham, Lancaster, Derby, and Stafford, to be sent with coats and conduct money, at the charge of those counties respectively, to the rendezvous at York, there to be delivered over to their captains, and mustered by the vice-president of York before marching for Berwick, where they are to enter into pay according to the old list, till the King's army shall march. As concerning the five troops of horse to be forthwith raised, each troop to consist of 60 horse besides officers, whereof four troops are for Berwick and one for Carlisle, it was resolved that the captain of each troop shall receive order for raising the same in what part of

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the kingdom he shall choose, and shall fix the day and rendezvous, when a commissioner will be sent to view and muster the same, that they may be entered into the King's pay according to the new list of entertainments for cavalry, and receive orders to march for Berwick or Carlisle. The Lords, considering that it would be for the advantage of his Majesty's service in the wars that an addition of 1*l.* per diem should be allowed both to the leader and bringer up of a file, proposed that in every company of 100 foot there should be 12 files each 8 deep, making 96 in all, leaving the remaining 4 men to be disposed of as the captain should think best, which addition of 1*l.* would increase the pay of each company by 2*s.* per diem, of a regiment of 10 companies by 20*s.* per diem, making 28*l.* per month or 365*l.* a year for each regiment, so that if the army consisted of 40 regiments the six months additional pay would amount to 7,300*l.* or for 12 months to 14,600*l.* The Lords, after long debate, resolved to attend the King and represent to him that they conceived that this increase of pay to the leader and bringer up of each file was agreeable to the ancient practice of the Greeks, only their files were wont to be 25 deep or more, and would breed emulation amongst the soldiers, which would be much for his Majesty's service. Also that the Lords held it better that this increase of pay should be allowed by his Majesty than in any sort deducted out of the pay of the common soldier's allowance of 8*d.* per diem, which is no more than has been allowed ever since the time of Henry VIII. [3 *pp.*]

Jan. 2.

15. Note submitted by the Earl of Northumberland [to the Council of War] concerning the composition of the troops of horse, and ordered to be entered in the Council Register. The horse to be raised, we humbly conceive, are to be distributed into regiments, comprising 508 each, to be thus disposed. The colonel's troop of cuirassiers to consist of a captain, lieutenant, cornet, quarter-master, three corporals, two trumpeters, one smith, and 100 horsemen, which four deep make 25 files, besides three spare horses allowed to the officers of each troop. Four troops of carabineers, each consisting of a captain, lieutenant, cornet, quarter-master, two corporals, two trumpeters, one smith, and 60 horsemen, which four deep make 15 files. Two troops more of carabineers, consisting of officers as above and 52 horsemen, which four deep make 30 files. Total 508. *Underwritten,*

15. I. *Notes in Nicholas's hand. The smith is to have the pay of a cuirassier or carabineer, according to the troop in which he serves. Besides the six regiments of horse there are to be 100 cuirassiers and 60 carabineers for the Lord General's horse guard. [1 p.]*

Jan. 2.
Whitehall.

16. [Sec. Windebank] to Lord Keeper Coventry. Upon advice from Sir Francis Willoughby, captain and governor of Carlisle and of the forces there, it is found necessary for his Majesty's service that the prisoners who are kept in some part of the citadel or castle

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there should be removed, and the castle wholly freed of them. The speedy doing of this is of such consequence, and this day commanded by his Majesty, as to make me thus, in the judge's absence, resort to your lordship for your advice and speedy direction to be given therein, being otherwise very loath to have given you the least trouble of business during your indisposition, to the removing whereof I shall, besides my hearty wishes, rather contribute what may be in my ability. [*Draft.* $\frac{1}{2}$ p.]

Jan. 2.

17. Samuel and Thomas Bland to [Nicholas.] The Lords were pleased, upon the examination of Durham business, to question our messenger who waits upon the commission for discharging those persons who compounded with the patentees [for sale of tobacco] after the warrants were issued against them for non-appearance [before the Council] at our summons, in regard they had no clause in their warrants. The messenger desiring that they may go in a regular way has prayed the writers to intreat [Nicholas] to move the Lords that this may be inserted into their warrants, to discharge all such as shall agree with the patentees upon the approbation of the Commissioners, upon security given for payment of the fees due to the clerks of the Council. [$\frac{3}{4}$ p.]

Jan. 2.

Drury Lane.

18. Robert Reed to his [cousin Thomas Windebank?] I have not received any letters from you later than 29th December, nor can they be expected in ordinary course, whilst this tempestuous weather lasts. The wind on Friday night did much hurt in divers places. The Lord of Kinalmeaky, who was married last week to Lady Elizabeth Fielding, has not kept his wedding night yet, by reason he is still under medical treatment. This has put Mrs. Harrison a little out of countenance, for fear the like may be her case with the other brother, yet I believe that business is so far advanced, though she will not acknowledge it, that she must adventure herself with him. It is said they are both very debauched, and though perhaps the latter may use more discretion in fixing the wedding day, yet it is feared they will be equally ill husbands. Having no matters of consequence to advertise you of, I adventure to acquaint you with these light passages to serve you for recreation, which I am sure you want rather than business. I commit them to your discretion to be spoken of as matters that concern persons of honor, though light in themselves, they are commonly known here, yet none speak of them aloud. P.S.—Present my service to my cousin Christopher and Mr. Aubert. [2 pp.]

Jan. 2.

London.

19. Capt. George Carterett to his wife. The weather has been so tempestuous that the barques could not possibly come over. I have sent you two letters by way of France, and will write further by the Jersey barque, which is ready to set sail within these three days. Assurances of affection and family matters. [2 pp.]

Jan. 2.

Mar. [Merton?] College, Oxford.

20. James Levingston to his cousin Levingston. I perceive that my former letter has miscarried, for I entreated you [in it] to send

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me news of the affairs in Scotland. There appeared here in Oxford upon New Year's Day in the morning, the breaking of a cloud, out of which came a great fire in the air, and spread itself all over the city. Love to your wife and Ann.—P.S. The mayor has it in charge from the Lords to deliver in the names of all in the university and city who are above 16 years and under 60.

Jan. 2.
Whitehall.

Henry Earl of Holland to Timothy Tyrell, lieutenant of the Forest of Shotover and Stowood, co. Oxon. Warrant to search the houses of all persons residing within three miles compass of the forest, for greyhounds, mungrels, handguns, crossbows, nets, traps, and other engines used to destroy deer, the king's game having been much spoiled by divers of the inhabitants and driven from their usual places of feed. [*Copy. See Vol. cccclxxxiv, p. 69. 2½ pp.*]

Jan. 3.
Whitehall.

21. Order of the King in Council, upon petition of the Merchants Adventurers, touching the several licenses granted to the Duke of Lennox and the said company for the shipping of white and undressed cloths. His Majesty and the Lords declared that the opinion of the Board expressed in the Order of the 4th November 1617 cannot in any sort conclude the Duke, the same having been made upon a precedent and private agreement between that company and the Earl of Cumberland, who then enjoyed the license which the Duke now has. His Majesty moreover being satisfied that concerning the point of right, the Duke has liberty by his grant to compound with any person whomsoever in amity with his Majesty, which liberty was not gainsaid by the company or their counsel. But in respect of convenience, the deputy of the company moved his Majesty that he would give leave for the company to treat with such as his Grace should appoint, touching the continuance of his Grace's license to the members of that company, and in case they should not agree, then the deputy in the name of the company submitted to abide by such determination as the King shall be pleased to set down concerning the matter of their licenses. His Majesty thereupon directed that there should be a meeting to that purpose, and if an agreement shall not be thereupon made, he would himself vouchsafe to settle and determine the same. [*Draft to be entered. 1½ p.*]

Jan. 3.
Whitehall.

22. Warrant to the Clerk of the Signet. To prepare a bill for signature, containing a Privy Seal for 300,000*l.*, to be issued from time to time out of the Exchequer for sundry and special affairs of great importance, by the order and direction of the Lord Treasurer, the Marquis of Hamilton, the Earl Marshal of England, the Lord High Admiral, the Lord Deputy of Ireland, Lord Cottington, the Treasurer of the Exchequer, and Sec. Windebank, or any three of them, the Lord Treasurer or the Chancellor of the Exchequer to be always one. [*Draft to be entered. ¾ p.*]

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Jan. 3. 23. Minute of a pass for William Russell, Esq., to travel into foreign parts for three years from this date, taking with him one servant, with proviso not to go to Rome. [$\frac{1}{2}$ p.]

Jan. 3. 24. John Crane, surveyor of Marine victual, to the Council. There is at this present about 70,000 lbs. of biscuit, which came from Berwick and the Frith of Forth, remaining at the Bridge House and other storehouses, as I have reported to the Lord Admiral, and which is like to perish if the price now offered for it be not accepted, viz., 4s. per cwt., so as the parties may have license to transport the same beyond sea duty free. My desire is, that if you think so fit, to give license for the transporting of it accordingly. [*Margin*: but to pay the duties. 1 p.]

Jan. 3. 25. Petition of John Wilkinson to the Council. By proclamation, dated 26 May 1638, the importation of hats and caps from beyond sea for sale in England and Wales, having been prohibited upon pain of forfeiture and imprisonment, Letters Patent were granted to petitioner, dated 28 November 1638, empowering him to seize all such commodities to his Majesty's use. Petitioner lately seized 63 hats in the house of John Spy of Hastings, who refused to obey his Majesty's authority so given, and the officer who was required by petitioner to aid him, being Spy's neighbour, refused to assist him, so that Spy took away the hats by force, saying they were all fools to let their goods go upon such authority. Spy afterwards offered him gold in a bribing way, but he desires the offence may be punished, it being to the evil example of others in contemning the prerogative royal and disabling petitioner's authority so given. Prays warrant for Spy to appear before the Board to answer the premises. *Underwritten*,

25. I. *Oath taken by petitioner before Robert Riche that the allegations in this petition are true.* [1 p.]

Jan. 3. 26. Sir John Pole, late sheriff of Devon, to Nicholas. I received Colcombe [House]. letters gratulatory from the Lords, with a command for the payment of the small arrear of ship-money, viz., 43*l.* 9*s.* 10*d.*, due to his Majesty in my year of office, for the levying of which I have lately obtained warrants from the present sheriff, but it will not be effected without great difficulty and charge. In the execution of this service I will use my best endeavour, but desire your furtherance to the Lords for an allowance for collecting and levying the same, as promised to the present sheriff. [*Seal with devise.* $\frac{2}{3}$ p.]

Jan. 3. 27. Certificate of Capt. William Legge, that Henry le Maire, master-gunsmith, with his six servants, was sent for out of Holland to be employed in the King's service, at the rate of 2*s.* 6*d.* by the day for himself, and 1*s.* 6*d.* for each servant, or 4*l.* 0*s.* 6*d.* per week. He has attended these nine weeks to be employed, but as yet has received neither employment nor pay. [$\frac{1}{3}$ p.]

Jan. 3. Warrant of the Commissioners for Saltpetre and Gunpowder to Whitehall. Robert Smith, messenger of the chamber, to repair to the house of

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Richard Woulfe [Woolf], late alderman of Stamford, co. Lincoln, and bring him before the commissioners to answer to such matters as shall be objected against him on his Majesty's behalf. [*Copy. See Vol. ccxcvii, p. 112. $\frac{3}{4}$ p.*]

Jan. 3. 28. Brief on the behalf of Arnold Brames and Co., owners of the ship *Lioness* of Dover, against Nicholas Gold, Daniel Fairfax, and Isaac Legaye, for recovery of 2,658*l.* for freight and 6*l.* port dues, under charterparty of the said ship, employed during 15 months and 19 days. [5 *pp.*]

Jan. 3. 29. Book of notes kept by Nicholas of proceedings of the Council at their several meetings during this month. These notes state the names of the members of the Council present on each occasion, and briefly indicate the several businesses considered and the orders made. The days on which the Council sat, and to which these notes refer, were the 3rd, 5th, 8th, 10th, 15th, 17th, 19th, 24th, 26th, 29th, and 31st of the present month. [62 *pp.*, of which 14 are blank.]

Jan. 3. 29a. Book containing the names of all members of the Council present at various sittings of the Council during the present month, beginning with this day. The King was present on the 3rd, 5th, 17th, 19th, 26th, and 29th. [24 *pp.*, of which 14 are blank.]

Jan. 4. Pardon to William Walker, goldsmith, convicted at the last sessions at Newgate, for buying stolen plate, and having the benefit of his clergy was adjudged to be burned in the hand. And is done upon petition of Lyming Dickenson and Hugh Henn, his Majesty's servants. [*Docquet.*]

Jan. 4. Warrant to the Master of the Jewel House, to pay to James Lev-
ingston, keeper of the privy purse, all money coming into his hands for his Majesty's use from the nobility and others at New Years' tides, this order to continue from year to year until revoked. [*Docquet.*]

Jan. 4. Discharge of Sir Anthony Irby, late sheriff of co. Lincoln, from the custody of the messenger, but is to attend the Lords from day to day till he has either satisfied the 200*l.* remainder of 1,000*l.* arrears of ship-money in his hands, or obtained his dismissal and leave to depart. [*Docquet.*]

Jan. 4. Warrant to Edmund Barker, messenger of the Council, to bring William Weston of Newbury and Richard Novis of Tilehurst, co. Berks, returned as defaulters at the musters in co. Berks, before the Board. [*Docquet.*]

Jan. 4. The like to Matthew Pigeon to bring before the Lords Joseph Whitchurch and Richard Comes, late constables of the hundred of Frome, and Samuel Foye, late constable of Horethorne, co. Somerset. [*Docquet.*]

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Jan. 4.
Whitehall.

30. Order of the Council of War. Montjoy Earl of Newport, Master-General of the Ordnance, Edward Viscount Conway, Sir Nicholas Biron, and Sir Jacob Astley, if he be in town, are desired to attend on the Earl of Northumberland, Lord High Admiral, and to consider with him what number and sorts of ordnance, together with a train of artillery answerable, are fit to be prepared for an army of 20,000 foot and 2,500 horse, and to present the same in writing to the Lords on Thursday next. [*Draft to be entered.* $\frac{1}{2}$ p.]

Jan. 4.
Whitehall.

31. The same to the same. The Lords desire the parties named to take into consideration whether it be fit to have any corporals of the field for the foot, and how many and what pay is fit to be allowed each of them, also what pay is fit to be allowed to a Quarter-Master General of the horse, and how much to each carabineer, and what to a cuirassier. Whether it be fit to have three colonels general and three sergeant-majors of the brigades. Also to consider of the list of the train of artillery, and of the entertainments allowed in the expedition of last summer. An expression of opinion in writing on all these particulars to be presented to the Lords on Thursday next. [*Draft to be entered.* $\frac{3}{4}$ p.]

Jan. 4.
Whitehall.

32. Minute by Nicholas of proceedings this day at the Council of War. Sec. Windebank delivered to the Lords his Majesty's pleasure that the Earl of Arundel and Surrey, Earl Marshal of England, should be added to this Council of War. The Lords resolved that every regiment of foot shall consist of ten companies of 100 men besides officers. The horse to be divided into several regiments, each consisting of seven troops, whereof the colonels to be cuirassiers, making eight regiments in all. The state of the horse troops to be as specified in the Earl of Northumberland's note of Jan. 2. [$\frac{3}{4}$ p.]

Jan. 4.

33. Notes by Nicholas of the scale of pay for the officers and others in the army about to be formed under the Earl of Northumberland. List of pay as formerly the last year it was, contrasted with the new list as now resolved. [1 p.]

Jan. 4.
Barbican.

34. John Earl of Bridgewater to Sec. Windebank. Since your being here I have cordially endeavoured the best I may to find out and resolve with what and how I might serve his Majesty in his urgent and present occasions. The day after my speech with you I sent to several scriveners of my acquaintance to see what money they could procure for me. All but one have already returned answer that they do not at this present know where to procure me 500*l.*, but if they had known sooner it may be they could have done me some service. Whilst they were thus employed I sent to some of my particular friends, who, I thought and hoped, could and would have furnished me with some part, though not with the whole, of what I had intended for this occasion; but I find the like answer from them as from the scriveners. They have it not, the

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little they have is out of their hands, but if they had known sooner they would willingly have pleased me; and this is all I am like to look for or expect. My intention was and is to lend 5,000*l.* if I can possibly procure it, but which I fear I shall not be able to do, in respect of my late notice of the intended loan. Thus have I acquainted you with the care and labour I have taken since your being here, and the [ill] success thereof, by which you may perceive the unhappiness and unfortunateness of my condition; whereof I hope you will make a fair relation and his Majesty a favourable interpretation in my behalf, who will still continue to use my best endeavours for his Majesty's accommodation. Were I as able as I am willing, ready, and desirous to serve his Majesty, there is none should or would more freely declare themselves, than I would, to the uttermost power of my ability, who in these difficulties and pressures dare not adventure to make any further professions, but that I am truly devoted to his Majesty's service in this and all other his occasions.—P.S. Since the writing of this letter, one of the scriveners sends word that he thinks he can provide me 1,000*l.*, but what is that to what I would fain do? [1 p.]

Jan. 4.
London.

35. Edward Fenn to Nicholas. Having lived many years in this parish of Allhallows, Barking, where I have filled some offices, and now the time being come when it falls to my lot to be both churchwarden and constable this year, I should be content to pay any reasonable fine to the parish to acquit me thereof, but I am afraid they will not accept thereof. I am therefore become an earnest suitor to you, who know how strictly I am tied to attendance in navy affairs relating to his Majesty's service, to move the Lords to free me from these offices during my attendance, which privilege I conceive has been formerly granted to others in like case. [$\frac{2}{3}$ p.]

Jan. 4.

36. Brief notes in explanation of charges brought against John Blount, gentleman, who, being drunk, was reported to have said "if the King were there he would kill him," and afterwards added "that he had spoken treason but he cared not." These words are explained to mean, not that he would kill the King but a certain miller, with whom he was quarrelling, even if the King were present. [$1\frac{1}{2}$ p.] *Annexed,*

36. I. *Examination of Anne, wife of Capt. Edmond Woodward, on his Majesty's behalf, taken before Henry Townshend, J.P. for Worcestershire, concerning speeches uttered against the King by John Blount.* [$1\frac{1}{2}$ p.]

36. II. *The like examination of Edmond Woodward of Sambourn.* [$1\frac{2}{3}$ p.]

36. III. *Examination of John Jones of Rydnall.* [$\frac{1}{2}$ p.]

36. IV. *The like of Peter Browne of Sambourn.* [$\frac{2}{3}$ p.]

36. V. *The like of William Severn of Sambourn.* [$\frac{2}{3}$ p.]

36. VI. *The like of Eleanor, wife of Peter Browne, of Sambourn.* [$\frac{2}{3}$ p.]

36. VII. *The like of Stephen Edgley of Bewdley.* [1 p.]

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- Jan. 4. 37. Account by Sir William Russell, one of the Treasurers of the Navy, of ship-money received by virtue of writs of 1637. Total received, 178,036*l.* 0*s.* 8*d.*; leaving 18,378*l.* 7*l.* 0*d.* unpaid. [1 *p.*]
- Jan. 4. 38. The like of ship-money received by virtue of writs of 1638. Total received, 53,101*l.* 4*s.* 11*d.*; leaving 16,648*l.* 15*s.* 1*d.* It is added that the late lord mayor of London, since the making of this certificate had paid in 75*l.* for the borough of Southwark. [1 *p.*]
- Jan. 4. 39. Account of ship-money for 1638 levied and remaining in the hands of the sheriffs. Total 1,182*l.*, making the total levied and paid, 54,283*l.* The arrears were as follow: 1635, 4,536*l.*; 1636, 7,049*l.*; 1637, 17,464*l.*; 1638, 16,648*l.* [1 *p.*]
- Jan. 5. 40. The King to Patrick Lord Ettrick. We perceive by yours of the 27th ultimo not only your care of our service in providing a constable [of the Castle of Edinburgh] to be under you in case of your being disabled by sickness or other accident, but likewise your respect to us in the manner of [it, being unwilling to make choice of any without our approbation, though by our grant you have power to appoint and constitute whom yourself shall think fit. This we take very well, and likewise the choice you have made of Lieut. Colonel Scrimsoire [Scrimgeour], whom we hold a very fit person for that charge, and hereby give our royal assent to his undertaking it in case you shall at any time be disabled, which we hope shall not be. Concerning your other letter of the same date, we like well your purpose of putting in order the well on the back side of the castle, and of preparing reserves for water, which may be made fit to hold water if you will cause them to be plastered or pitched with stones in the bottom. The arms you desire for those men who are to be sent you by way of supply shall be likewise furnished and transported, together with the rest of the ammunition which is to come to you. Order is already given to the [Earl of Northumberland], Lord High Admiral, and to [the Earl of Newport], Master General of the Ordnance, to take care that both the men and ammunition shall be forthwith embarked and sent away. The captain who shall undertake this service shall be instructed how to land the men by small numbers, as you shall more particularly understand in our next letters. These are to be in the habits of seafaring men and mariners, and to carry the ammunition up to the castle in little quantities, and then you may detain the men there, and others may succeed in their places with the rest of the ammunition, if there shall be no opposition. There shall be some notice given to you of their arrival there, that so you may co-operate with them and facilitate this service. For the works you mention, we leave them to your care to be proceeded in when you shall find best and most seasonable, recommending them and whatsoever else you shall find most conducing to the securing of that important place, wholly to your ordering. [*Draft by Secretary Windebank.* 1½ *pp.*]

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Jan. 5.

41. Order of the King in Council exempting Edward Fenn, of Allhallows, Barking, in regard of his attendance under Sir William Russell, Treasurer of the Navy, from serving the offices of churchwarden and constable, which this year were like to be put upon him by the inhabitants of that parish, and also at all times hereafter during his attendance in this his Majesty's service he is to be excused from bearing offices or doing any personal service either in Allhallows parish or elsewhere; but for all parochial duties he is, notwithstanding this order, to pay the same rateably and proportionally with others of his quality and ability in that parish. [*Draft.* $\frac{2}{3}$ p.]

Jan. 5.

42. The Council to Thomas Earl of Arundel and Surrey, Earl Marshal of England and Lord Lieutenant of the county of Cumberland. There being present occasion to make use of his Majesty's citadel and castle of Carlisle for some special services of importance, we are, by his Majesty's command, to require you not only to give effectual order to the sheriff of that county presently to remove all the prisoners of the castle and citadel into some other safe place for the present, but also to require the sheriff and justices of peace to cause a rate to be made for erecting a new prison for the use of that county, so that the castle may still remain free upon all occasions for his Majesty's service. [*Draft.* 1 p.]

Jan. 5.

43. Minute of a Council Warrant to Robert Taverner, messenger, to bring up Nicholas Mayleigh, of Carisbrooke, Isle of Wight, and James Jutt, of Chilbolton, Hants. [$\frac{1}{2}$ p.]

Jan. 5.

44. The Council to the Lord Treasurer. There being about 70,000 lbs. of biscuit belonging to his Majesty which came from Berwick and the Frith of Forth remaining at the Bridge House and other store houses, the same as represented by the Victualer of the Navy [*see this Vol., No. 24*], likely suddenly to perish if present sale be not made thereof to such as shall transport the same. We therefore require you not only to give order to the surveyor of marine victuals to make sale thereof, but to the officers of the Customs to permit the same to be transported to parts beyond sea, the duties being first paid. [*Draft.* $\frac{3}{4}$ p.]

Jan. 5.

45. Minute of appearance at the Council Board of William Marshall, of Bridport, co. Dorset. He having sent up a certificate of ship-money charged upon him for the last year, was discharged from the messenger's custody and further attendance. [$\frac{1}{3}$ p.]

Jan. 5.

46. Remonstrance of the Society of the Inner Temple to the Council. First, we shall demonstrate to the Lords that the government of our society consists of three parts, viz., Masters of the Bench, Masters of the Bar, and gentlemen under the bar, and that our government and all our privileges are grounded only upon ancient custom, which we conceive to be a law, and by that custom the benchers have usually governed in term time, the barristers in vacation, and the gentlemen in the Christmas. In the keeping of

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this Christmas we conceive that we have not offended or brought in any innovation, or permitted the least disorder whereby our Christmas should be suppressed, or our ancient privilege taken from us to be transferred to other houses, Gray's Inn and Lincoln's Inn having, since we desisted, permitted the very same company to play in both houses, so that the reformation aimed at is no ways redressed. We further declare that many well-affected persons of our society, being sensible of the general inconvenience, have endeavoured a sudden reformation, but which we, upon mature consideration, found impossible to be done any other way than by debarring of all manner of play at dice in our hall; and because we conceived music could not be paid for, nor our butlers rewarded and our other expenses of entertainment defrayed, without excessive charge to the gentlemen in commons, we therefore conceived it fit to allow of play at dice in the libraries, provided none but such as were invited or well known to some gentlemen of our house should be admitted to play, and this order being punctually observed would redress the disorder complained of, which reformation had been put in execution this Christmas but for the reasons here stated. We pray that for this Christmas the Lords will suffer us to begin commons and proceed in our usual way of play for the time to come; and for the loss of the time past, since our desisting upon his Majesty's command, we may keep a week longer than our limited time for the discharging of all former engagements yet unsatisfied; and if the next Christmas there be not a general reformation in our house, according as we have in this remonstrance expressed our intentions, then we shall desire the Lords to make what order shall be thought fit for the absolute dissolution of all future Christmases. We beseech your Lordships to have that honourable regard to the entire preservation of our ancient privilege as to give us leave to be the sole reformers of our own disorders, and the whole society shall acknowledge this as an infinite obligation from the Board. [*Half skin of parchment.*]

Jan. $\frac{6}{16}$.
The Court
at the Hague.

47. Dr. Samson Johnson, Chaplain to the Queen of Bohemia, to Archbishop Laud. Your letter of the 13th December was delayed a week by foul weather, but has now come to my hands. For the libel I shall be careful and vigilant. I heard not before of anything in it concerning me; whatsoever it be, I fear not but to unrivet it with ease; such calumnies are easily blown off, and had it not been for your Grace's imposing silence on me I had done it then when I was first moved. Were it not for abusing the poor people by these pestilent pamphlets, contempt were the best answer. I can assure you there is no person of any worth or learning who has any hand in these kind of writings, only some fugitive, discontented men. 1. The preachers here, with whom I sometimes converse, have been very ill-informed concerning the state of our church. I think I have performed that office to set them right, and have desired them not to believe the partial reports of ignorant and malicious vagabonds. 2. The consistory here dare not be angry

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with the Prince [of Orange]; he said much worse than I wrote to your Grace. Their course is to contest with the magistrate upon all occasions, and to flatter the people, but compass very little; when anything of profit to the state is hoped for there they must yield, but they make a fruitless noise first; they lose ground daily by reason these countries fill with persons of quality more and more. 3. I have heard the Prince and many of the wisest in this state admire our church, and confess that they have no face of a church here, and that they wish our government in the place of it. The study of Oriental books is kept as yet sealed; the pleasure of the executors, who dwell in Silesia, out of which country the Doctor was, is expected; when a catalogue may be had I shall do as you command me. 4. The difference between Salmasius and Heinsius is seen in Salmasius' preface and book "De Usuris," the last part; the book must needs be common in England, but they are like to differ in everything for all that I see. Salmasius says in his book that he will discover multitudes of vanities and falsities in Heinsius' notes on the N[ew] T[estament]. He told me lately that his notes are almost ready for the press. The consistory cannot hinder Salmasius from printing; he is exempt, as honorarius professor, from their jurisdiction. He is a man of greater learning and more ingenuity than any of the other side, and will find more of his party. The consistory being troubled have tried a means of reconciliation, but in vain, for 'tis now desperate. Salmasius is engaged; he has been very ill-used here, only because they cannot make him a sectary. Grotius' notes upon the N[ew] T[estament] are come hither to be printed; they will be a book in folio. 5. It is reported here that Sir William Boswell is likely to succeed Sir Henry Wotton at Eton, and that Sir Robert Honywood, the Queen [of Bohemia's] steward, may be designed for this place. If it should be so, then Mr. Dinley, who is secretary to this Queen, and who is now in England, is thought on for the government of this court. He is a man not well affected to the church; he has been the only supporter of Bandfort [or Bamford] here. His Majesty of England has no opinion of him, and justly; but the ladies will work for him all they can. Her Majesty [of Bohemia] is of a gracious and facile nature, often to her prejudice. This I only write upon supposition if it may be any way useful to your Grace. 6. I must crave leave to speak one thing in my own commendation, and you will find it true upon inquiry. Our church here begins to wish much for common prayers, even Mr. Bamford's own flock, and they are so well affected to me that they come willingly to hear me preach, and very unwillingly to hear their own shepherd. I thank you for your advice for my wariness; I have been always peaceable in religion, and shall be ever. It will be a very hard law for to give account of all words in conversation and discourse. I will be most careful not to speak anything but what is sober, that I may do that too if any will be ready to question me. This is all I have at this time to trouble you with, and I fear it is too much amidst the great number of your cares, but these I could not omit, because my true

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affection of serving you and the church bid me do it. [*Endorsed by Archbishop Laud as received 17th Jan. 3 pp.*]

Jan. 6.
Southampton.

48. Nicholas Pescod to Lord Charles Lambert. Upon receipt of your letters of the 28th ulto. to the sheriff and myself, I repaired to the mayor of our town, and caused one of these letters to be read before the aldermen, who after consultation answered that they had given both the Duke of Lennox and the Earl of Portland answer to their honours' letters as much as for the present was in their power, and hoped that their honours were satisfied therewith; but by your letters it seems the contrary, which I find does not a little grieve them, in regard their honours' demands are not within the compass of their powers, having at the least 40 burgesses in our corporation, and not above eight justices of peace, wherefore I am heartily sorry I can do their honours no better service herein. I heartily wish the Duke had occasion to make particular use of my poor endeavours, no man being more forward to execute his commands than myself. As for the Earl of Portland I am his servant, and hope to continue in his favour. Mr. Read I conceive to be a worthy gentleman, and I take it as a favour that you would employ me in your service, but should account myself far more happy that your employment had been within my reach, that you might know you have a servant in Southampton. I am heartily sorry I cannot do you better service in this business. That case is miserable that when men of some command in other matters in this must be ruled by a company of such as make their wills a law, and will give their voices according to their particular affections, and not for the good of the place where they have their livelihood in. I perceive the Recorder and Baronet Mill have procured many friends for their election, and imagine have made too strong a party to have their desires unsatisfied. I wish I could give you an answer more pleasing. [*Seal with arms broken. 1 p.*]

Jan. 6.

49. Bill of Henry James, Esq., of London, acknowledging to be indebted to Sir Henry Compton, K.B., 10*l.*, payable on demand, under bond of 20*l.* [$\frac{1}{3}$ p.]

Jan. 6.

50. Examination of Jehan de la Cams, a Frenchman. He says that Monsr. Savary, a French gentleman, who was here in London six weeks since, gave him the silver, both that which is coined and the other, to pay certain moneys here for him; that Savary came here to buy horses, but finding he could not obtain leave to transport them he came to examinant and told him that business pressed him to return into France, and so desired him to cause this instrument to be made for him according to a pattern which he showed him in wax, and to send the same into France by the ships going to fetch Bordeaux wines; that this gentleman lives at Bordeaux, and sometimes at his house in the country. [1 p.]

Jan. 7.

51. Petition of Sir Thomas Holt, his eldest son Edward, and his wife Elizabeth to the King. King James granted to petitioner a

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baronetship to him and his heirs, dated 25th Nov. 1611. Petitioners now pray your Majesty to accept of a surrender of that patent and to grant another to him [Sir Thomas] for life, with remainder to George Holt, his second son, and his heirs male. [$\frac{2}{3}$ p.] *Underwritten,*

51. I. *Petitioners to attend his Majesty at Court about this business with convenient speed. Whitehall, 7th January 1639-40. [$\frac{1}{6}$ p.]*

51. II. Dorso. *Notice of petition of Edward Lord Herbert to the Council.* [Pasted on the back of this paper, but probably belongs to some other document.]

Jan. 7.

52. The Council to the Sheriff of Kent. Whereas by writ of November last you are required to set forth and furnish a ship of 640 tons besides tonnage, manned with 256 men and double equipage for six months' service, to be ready at the rendezvous by 1st April next, the charge of which as by letter and instructions of the Lords will amount to 8,000*l.*, which you were directed to assess in that county and its corporations: We understand from you that the mayors and head officers of the corporations in that county, having met at Maidstone about this service, will agree to make no higher rate for setting forth and furnishing the said ship of 640 tons than after the proportion of 1,000*l.* for 100 tons, alleging that the same is agreeable to the rates of former years severally assessed upon that county and its corporations. Wherefore we are by his Majesty's express command to let you know, that by the experience of former years' services the proportion of 1,000*l.* for 100 tons will not defray the charge of setting forth, manning, and furnishing a ship for such time and in such manner as is required by his Majesty's writ, which charge has been every year much increased through the slow payment of the moneys required from the counties, inasmuch as his Majesty has issued every year out of the exchequer very great sums of money, over and above what has been paid by the several counties, for defraying the charge of such fleets as have been set forth for guard of the seas, as by the accounts of the officers of the navy and ordnance appears. His Majesty, for that reason and upon other considerations, conceived it better to abate of the tons of the ship than to increase the sum requisite to furnish a ship of 800 tons; and yet some of the head officers of the corporations of that county can inform you that the burden of a ship of 640 tons besides tonnage is greater than that of a ship of 800 tons, and the word *dolium* in the writ signifies ton, and not tons and tonnage. Thus much his Majesty has commanded us to let you understand concerning the reasons of the alteration at which those of the corporations seem to stick, and to let you know that it is his express command that according to his writ you take effectual order that a ship of 640 tons besides tonnage fail not to be at the rendezvous at the day prefixed, furnished as required, or else that the full sum of 6,400*l.* be levied and paid to the Treasurer of the Navy

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by the 20th of February next, to the end that his Majesty may therewith furnish the like ship by his own officers, which, if all the money shall be paid by that day, he is graciously inclined to do in ease of that county, but in case that neither the ship be provided, nor the 6,400*l.* paid in by the 20th prox., then he commands that at your peril you fail not to levy on that county the full sum of 8,000*l.* according to your first instructions. And as his Majesty expects that you fail not in performance of this service, so much importing his honour and the safety of the kingdom, so we require you to give us from time to time an account of your proceedings herein. [*Draft. 2½ pp.*]

Jan. 7.
Barbican.

53. John Earl of Bridgewater to Sec. Windebank. I sent the enclosed yesterday, but not finding you at court, or at your house, it was returned to me. The reason I had not sent it sooner was that I had hoped to have had better news from the scrivener before yesterday noon. But now I must alter the language into a more, at least to me, unpleasant style, for the scrivener this morning sent me word that the 1,000*l.* which he thought to have provided for me is otherwise disposed of, so that you may hereby see what difficulties I meet with, and how little hope I may have of being furnished with money for this occasion, according to my desire. [*Seal broken. ¾ p.*]

Jan. 7.
Berowe House.

54. Sir Thomas Holland to Sir John Lambe, Dean of the Arches. I received your letter on the 4th January by William Hughes, servant to Lady Terringham. It appeared to me that Archbishop Laud had signified to you his pleasure that I should forbear executing my faculty lately granted for building an aisle on the north side of the church of Llanfihangel-Esceifiog, Anglesey, and that it was opposed by Sir Arthur Terringham and his lady, both for themselves and Nicholas Bagenall, Esq., their son[-in-law], until his Grace's pleasure were further declared, and that he had suspended my faculty. I would make known to you that the late Bishop Griffith, of Bangor, viewed the chancel and churchyard, and set out so much of both as he thought fit for me to build my aisle or chapel on, and which he afterwards granted to me under the episcopal seal. This grant being renewed by the present bishop, I obtained a faculty from the archbishop to build the aisle, and before receiving your letter had pulled down 11 feet of the chancel wall and dug the foundations for the same, in length about 15 feet, and in breadth 12 feet, being 6 inches less than my faculty licensed, but after receiving your letter I forbore to proceed further. I confess my house is situated in a hamlet of Llanidan parish, but more than three miles distant from that church, the parishes of Llanfihangel-Esceifiog and Llanddeinol lying between them, whereas Llanfihangel church is somewhat near my dwelling, and there both myself and my ancestors have ever attended divine service. If Lady Terringham should think fit to question my right to these seats I will answer in a legal way, she having the like seat in

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Llanedwen chancel belonging to her house Plâs-Newydd, and divers others have their seats proper to themselves. In every chancel within this whole county of Anglesey there are ancient seats belonging to special owners in like manner as in churches, the chancels being repaired solely at the charge of the parishioners. My freehold land in Llanfihangel parish is worth yearly 150*l.*, the greater part being in my own occupation and demesne, whereas Lady Terringham and her son, Mr. Nicholas Bagenall, have never been inhabitants of the parish or assessed in any church-mize there. Particulars relative to the family of Sir Henry Bagenall and their connection with Llanfihangel parish since 1596. Taking these things into your consideration, and that I am aged and very heavy, I pray you to employ your good means with the archbishop, that I may be suffered to go on with my aisle in accordance with the faculty granted by his Grace. [*Seal with arms broken.* 2½ pp.]

Jan. 7. 55. Certificate by Sir Henry Townsend of information given by Edmund Woodward (*see this Vol., No. 36, Jan. 4*), at the Worcester Quarter Sessions, against John Blount for words supposed to have been uttered against his Majesty. [1 p.]

Jan. 7. 56. Notes by Sir John Lambe of the case between Lady Hatton, relict of Sir Christopher Hatton, and Bishop Wren, of Ely, concerning Ely or Hatton House. [*Endorsed by Archbishop Laud.* 1 p.]

Jan. 7. Deputation by Henry Earl of Holland, chief justice and justice-in-eyre of the royal forests on this side Trent, granting to Robert Whitehall. Burghill the keeping of Linchford Walk in his Majesty's forest of Windsor and bailiwick of Surrey. [*Copy. See Vol. ccclxxxiv., p. 67.* 1½ p.]

Jan. 8. Petition of the late Company of Saltmakers of South and North Shields to the King. Petitioners undertook the making and vending of salt at the places named with the hope to do your Majesty acceptable service and increase your revenues, but by reason of many interruptions they failed and gave up their patent of incorporation, which they could never get fully settled on them as they expected. Others have since become undertakers, and a constant revenue is now secured to your Majesty. Petitioners understand that your Majesty having been misinformed that they are in arrear to you 13,000*l.*, whereof if the utmost were demanded it would fall very far short, direction is given to Thomas Lydall and Henry Hodgson to collect the same, or upon non-payment to the Attorney-General to prosecute them for it in a legal way. Petitioners pray you to receive this true information from them, who have not yet been called to answer thereunto, that they are so far from gaining by the late employment that it will appear they have lost many thousand pounds thereby. They are ready to give a true accompt thereof to such as you shall be pleased to refer the examination, with the reasons why they miscarried in their endeavours, and when you shall be thus truly informed of their fidelity to your service,

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and of their great losses, they will not decline any legal prosecution, but submit to your pleasure. In the meantime they desire to rest in your good opinion. *Underwritten,*

I. *Reference to the Lord Treasurer and Lord Cottington, who are to consider of petitioners' accompts and premises, and to certify their opinions, whereupon his Majesty will signify his further pleasure. Whitehall, 8 January 1639-[40]. [Copy. See Book of Petitions, Vol. cccviii., p. 146. 1 p.]*

Jan. 8. 57. Commission directed to Algernon Earl of Northumberland,
Westminster. Lord High Admiral. Whereas by writs directed to the sheriffs of counties in England and Wales, and to the principal officers of towns, order is given for providing and setting forth of 45 ships and pinnaces this year, but as all cannot of themselves find such ships and pinnaces for the service as are required, we hereby authorise you to give order and warrant to the officers of the navy to prepare and furnish so many of our ships and pinnaces as the Council shall direct, and to man and provision the same; also you shall give order to the Ordnance Office for supplying them with ordnance and munition. The sheriffs and officers of towns are required to pay their ship-money for this service to Sir William Russell and Henry Vane, Treasurers of the Navy. [*Duplicate. Half skin of parchment.*]

Jan. 8. 58. Order of Council. Under the will of Sir Nicholas Stodard
Whitehall. his daughter Mary was entitled to an annuity of 24*l.*, payable by William, his son and heir, with other payments to his other daughters, who whilst they lived single were assigned one of his houses to reside in at their election. After a while William withholding the payment of the 24*l.* from his sister Mary, the Lords, upon a reference from his Majesty, ordered the same to be paid, when William, in their Lordships' presence, swore a great oath that he would not perform that order, and was committed to the Fleet prison in December last, and in further contempt has caused the back doors of the house in which his sisters reside to be nailed up, the water cut off, and the pales thrown down, and threatens to eject them. By a letter which was read at the Board it appears that he has most contemptuously written that the first day of next term he will be discharged, in despite of any lord, whereas his commitment was but to enforce the performance of an order of the Lords made upon his Majesty's reference, by his own consent and by his sisters', pursuant to their father's will, who will else be necessitated to become a parish charge. It is ordered that the two next justices of peace and constable of the parish where the house is situated shall take care to restore and preserve the sisters in their quiet possession, and make return to this Board of any who shall disturb them; and in case William Stodard shall not within three days after notice of this order make payment to Mary according to former orders he shall be restrained close prisoner to his chamber, and that for his contemptuous words and writing the Attorney-General, to vindicate

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the honour of this Board, shall exhibit an information against him the court of Star Chamber. [*Draft.* 1½ p.]

Jan. 8.

59. Order of Council. The difference between Richard Culme on the one side, and Peter Cape and John Reu on the other, was by an order of this Board referred to the judges of assize for Devon, who with the consent of both parties on the 22nd June last settled an order therein. For the taxing and asserting of the arrearages of the rents and debts due to Mr. Culme, and settling the accompt between the parties, Sir Francis Vincent, John Ackland, and John Banfield were named in the judges' order. Nothing having been done, by reason of the absence of the two former, the Lords by this order direct Sir George Chidley, Sir Thos. Drew, Henry Ashford, John Banfield, and Henry Waldron to settle this business. If Mr. Culme shall refuse to conform himself and perform the judges' order in all particulars, he is required to attend upon the Board the latter end of next term. [*Draft.* 1½ p.]

Jan. 8.

60. Minute of a warrant to commit John Lascoe prisoner to the Gatehouse. [*¼ p.*]

Jan. 8.

The like to commit Robert Relf to the same prison. [*On the same paper as the preceding two lines.*]

Jan. 8.

61. Sec. Windebank to Bishop Moreton, of Durham. His Majesty understands that Norham Island and Bedlingtonshire are within your particular jurisdiction, but in regard of their remoteness from the bishopric their trained-bands cannot be properly regulated unless united with those of Northumberland; he has therefore commanded me to signify his pleasure to you that you grant deputations to Sir John Fenwick, Sir John Clavering, Sir Francis Brandling, and Sir William Widdrington, deputy lieutenants of Northumberland, that so they being strengthened by your authority may be better able to do his Majesty service in these active times. [*Draft.* 1 p.]

[Jan. 8.]

62. Minute of a letter to be written to Bishop Moreton, of Durham, to the same effect as the preceding entry. [*½ p.*]

Jan. 8.

63. Petition preferred by the grand jury at the Quarter Sessions held at Kettering for co. Northampton to the Bench. At this present there is a great and insupportable grievance lying upon us and the country under the name of ship-money to be raised for providing of ships, our goods and theirs being forcibly taken and detained from us. Our petition is that some redress may be by you obtained, for it is not only our own but the general complaint of the country, and neither we nor they are well able to bear this burden, and therefore crave that this may be in such sort by you represented as in your wisdom you shall think fitting. [*Certified copy.* ½ p.]

Jan. 8.

64. Sec. Windebank to [Sir John Conyers]. By my letter of the Drury Lane. 1st November to you, forwarded through Sir William Boswell, his

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Majesty's resident with the States General, but who is now here in England, I made a proposition to you of an employment here in England in his Majesty's service, which both for honour and profit will be more advantageous than that which you at present hold under the States. I know it is of no slender consideration to remove your dwelling, being so well settled as I understand you are in those parts, but it likewise no less concerns his Majesty's service that you return speedily your answer, which I expected to have received before this. This messenger has been expressly despatched to you in order to bring back your positive answer. This intended employment, if you should accept it, will not be temporary, but for life, and is of more eminency and benefit by far than that wherein you now are. I have ventured very far in being thus importunate upon a slender acquaintance, but his Majesty's service being, if I mistake not, so highly concerned herein, and yourself having the reputation of being so much a gentleman, I hope you will not take it ill that I press thus earnestly for an answer. [*Copy.* 1½ p.]

Jan. 8. 65. Draft of the preceding in Sec. Windebank's hand. [1½ p.]

Jan. 8. 66. Sir Michael Ernley to Sec. Windebank. I received your letter of 31st December, and have caused those writs to be served upon the parties named, only Sir James Douglas is at London, and Mr. Phenick [Fenwick?] and Edward More are out of the town [Berwick], but I expect them this day. I understand that the lords of the Covenant with their adherents are to meet upon the 11th inst., but whether at Edinburgh or Stirling is yet doubtful. That they are preparing ladders, fireworks, and boats is very certain, and they have shipped 28 pieces of cannon at Preston-Ponds; how they intend to dispose of these I cannot learn, but it is supposed they are for Aberdeen. I am certain they have as yet gathered no troops together, but the general opinion of the people there is that this meeting they will conclude of some enterprise very advantageous for them. In this place [Berwick] I will be always prepared for them, though I little expect them, and less fear anything they are able to do here. On the 10th inst. I expect the two companies from Northumberland, and those from Durham shortly after. I shall have much trouble to lodge these 500 men by reason of the perverseness of the townsmen, who are willing to do the King no more service than they are forced to do, notwithstanding we spend all we have amongst them to their great advantage. He who is their solicitor, as I hear, has sent them word that the lord governor is to come hither no more, and that Sir John Conyers is to be governor of this place. I have nothing else to inform you of at this time. You may be confident of my care in this my charge to the uttermost of my power. [*Endorsed by Windebank as received on the 11th at 7 o'clock at night, and answered on the 21st.* 1 p.]

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Jan. 8.
Berwick.

67. Capt. Charles Lloyd to Sec. Windebank. I hope you have received my last letter, wherein I fulfilled your commands. In my previous letter, you may remember, I mentioned a sudden way of fortifying this town, if there were any fear, from any unexpected assault, without any charge to the King, and I would gladly hear your resolution. I prosecute the works [of fortification] as fast as I can, but the frost and ill weather have hindered me much. I shall want more carpenters, whom I cannot get here. P.S.—This day I have finished the curtain which I removed, and am raising the mound. [*Endorsed by Windebank, "Captain Fludd. Received 13th; answered 21st." Seal broken. 1 p.*]

Jan. 8.
Berwick.

68. George Payler to [Lord Treasurer Juxon]. In my last I acquainted you with the receipt of his Majesty's warrant of the 16th December for a further supply of 3,000*l.*, and also desired your directions about the repayment of moneys to the lord governor [of Berwick] for corn added to his Majesty's store to be issued out to the soldiers in the garrison, the benefit thereof redounding to his lordship's use. If according to his command I must now discount to him for that proportion of 160 quarters which he provided, it will appear that very little of his Majesty's store has been used out, because the weekly allowance to be converted into bread was prescribed by the Lords' order at their being here, which I have exactly observed, and have made defalcations according to their directions. The works of fortification here are continued with as much force as may be, and no accident or impediment has happened since the alteration of the work formerly begun; the gates, draw-bridges, and other business of most consequence are in hand, and purposed to be finished with all speed. The 500 men raised in Durham and Northumberland for reinforcing this garrison are upon their march, and expected to arrive on Friday next. As yet I have not received any instructions from you concerning the commencement of their entertainment, wherein I desire to be satisfied, that I may proceed with confidence in my accompts. [*Endorsed, "Payler's letter concerning 150 (sic) quarters of rye." 1 p.*]

Jan. ⁸/₁₈.
Nyköping.

69. Sir George Fleetwood to Sir Thomas Roe, English ambassador to the States at Hamburgh. I cannot as yet speak with my merchant doctor, but expect him hourly, and then I will ensure you of either recipe or medicine with full directions. Our parliament is this day begun, and if ought fall in it worth your notice I shall weekly acquaint you. I must beg your assistance to procure Mr. Avery's aid in a money business. [*Seal broken. 1 p.*]

Jan. 8.
Lambeth.

70. Certificate by Daniel Featley, D.D., justice of peace for co. Surrey, that William Woodworth, of Lambeth, intending to travel to Paris, had appeared before him and taken the oaths of allegiance and supremacy. [*Impression of seal. ½ p.*]

Jan. 9.
Whitehall.

Minute by Nicholas of proceedings this day at the Council of War. Sec. Windebank signified his Majesty's pleasure that this Council of

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War meet every morning for the better expediting of the present expedition. The Lord-General delivered the opinion of himself and the other referees touching queries referred to them concerning pay (*see Jan. 4*). Ordered that the Earl of Newport cause an estimate to be made of the charge of making 50 brass drakes of three-pound bullet, to the end that order may be given for casting the same. The Lords resolved to speak with his Majesty concerning the pay of the horse, and to know his pleasure whether a carabineer shall have 1s. 8d. or 2s. per diem, and a cuirassier 2s. 2d. or 2s. 6d.; the last summer all horsemen having been allowed 2s. 6d. [*Written on the same paper as Jan. 4, No. 32. 1 p.*]

Jan. 9. 71. The answer of the Earl of Northumberland, Lord-General, and the other referees touching the queries about pay, &c. referred to them the 4th of this month, as the same was this day presented by the Earl to the Council of War. 1. Three corporals of the field at 6s. a man, but we suppose that the name of corporal of the field were better dispensed with, and the pay given to three gentlemen who shall attend the general as those of the Prince of Orange do. *Resolved*: The Lords will have the name of corporal of the field to stand, but his duty to be to attend the Lord-General. 2. The quarter-master-general of the horse to have 10s. a day, and two horses at 2s. each. *Resolved*: This is approved of. 3. Because the horsemen in foreign parts gain as much as is equivalent to their pay, by which means they are rendered able to live, which cannot be expected in Scotland, and if they should be necessitated they would spoil the country in England, or, to live themselves, starve their horses; the cuirassier therefore may have 2s. 6d. a day, for which he is to keep a bidet. A carabineer to have 2s. *Resolved*: The Lords will speak with the King about this pay. 4. It is necessary to have a sergeant-major of a brigade, and to have one who shall command in chief over it by the name of commander of the brigade or tertia. *Resolved*: This officer is to be called colonel of the brigade, and to have for pay 2l. per diem. The sergeant-major of the brigade is to have 5s. per diem, and to be appointed by the Lord-General to be one of the lieutenant-colonels of that division. 5. There are 40 drakes of 3-lbs. bullet, and 50 more of the same proportion may be made with all speed, and the more there be of this kind the better. 6. For what belongs to the artillery a longer time is desired to consider of it. [*1½ p.*]

Jan. 9. 72. Another copy of the preceding, but with the resolutions of the Council of War in the margin. [*1½ p.*]

Jan. 9. 73. New scale of pay to be allowed to the officers in the several divisions of the army, whereof the Earl of Northumberland is to be Lord-General, as settled by the Council of War. [*5½ pp.*]

[Jan. 9.] 74. List of pay similar to the preceding, but in some instances estimated according to a lower scale. [*Draft. 4½ pp.*]

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Jan. 9. 75. Memorial of the Company of Gun-makers of London to the Council. We are ready to deliver carbines with their fittings at 1*l.* 10*s.*, and pistols with firelocks and fittings per pair at 2*l.* 16*s.* These arms having not been many years in use here, nor long made, but we expect hereafter upon encouragement to be more ready in making them, and so shall afford them at cheaper rates. [$\frac{2}{3}$ p.]

Jan. 9. 76. Tenders of the gun-makers of London, whose names are subscribed, specifying the numbers and price of carbines and pistols which they severally agree to deliver monthly. [2 pp.]

Jan. 9. 77. Copy of the preceding. *Endorsed*, "14th January 1639-40]. The firelock-makers, and the carbine-makers, undertakings with their prices, the original left with Mr. Barnard at the Earl of Newport's the day and year above written. Formerly left with the Earl of Newport to be presented to the Lords the next day." [3 pp.]

Jan. 9.
Lambeth.

78. Archbishop Laud to Sir Thomas Roe. I have received your letters of the 18th and 19th Nov., and with them both the virulent tract concerning Calvin, cunningly dedicated to myself, and the answers of the Prince of Denmark and Dr. Earnstius [Ernesti] concerning that tract, for all which your care, kindness, and pains, I have no other new-year's gift to send you than my hearty thanks, and as hearty wishes that this year may be happy to yourself and your wife, to whom I pray let me be remembered. For myself my strength decreases and my business increases, which is not a good conjuncture for me, yet must be borne. For the public undoubtedly this year must bring forth some great good or evil, and a great part of the good hoped for, will depend upon the temper and well ordering of the parliament, which God bless and preserve it both from private ends and practices. The particular business of your letters is all concerning the Prince Elector and his being detained in France, on which you have written very clearly and nobly. But that's all one to them, who out of all doubt have other ends in this business than most men think of. What my conceipt of it is, I dare not express, unless I could be fully assured of the safe coming of these letters to your hands. The best is, whosoever has been deceived by the French proceedings hitherto, I have not. Your letter was written so well in this particular, as that I thought I should do you a good office to show it to the King; I did so, and failed not in my expectation, for the King, having read it, said it was honestly, discreetly, and prudently written. But as for the Prince Elector, I for my part do not find yet that he is any nearer his liberty than he was when you wrote to me. I pray God send us to see better times, to whose blessed protection I leave you, and rest your very loving friend to serve you.

P.S.—When I had ended these letters I received another from you, whereby I see your care for the delivery of my letters to

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Dr. Wedderborne. The rest of the business concerning the French proceedings, and the King of Denmark's message concerning the Prince Elector, can yet expect no other answer from me than I have here given; but I will be sure to call on Sec. Coke to see D[uke] Bernard's will and the secret articles. [1 p.]

Jan. 9.
Auckland
Castle.

79. Bishop Morton, of Durham, to Sec. Windebank. In obedience to his Majesty's commands, signified by your letters received on the 31st December, I prepared 300 footmen of the trained-bands with such expedition that they were ready to depart for Newcastle by the 8th instant, under the conduct of Captain Gifford. I doubt not but you will represent to his sacred Majesty my diligence in discharge of this service. [*Seal with crest and arms. This letter is dated 9th December 1639, an evident mistake for 9th January.* $\frac{2}{3}$ p.]

Jan. 9.
Drury Lane.

80. Robert Read to his cousin, [Thomas Windebank]. I have received your letters of the 6th and 13th January [new style], giving hopes of your return home. I find that sending letters by express breeds irregularity, so I shall not be induced to commit again such an error during your residence in those parts. Mistress Harrison continues yet a virgin; some say that the match is broken off, but I believe it was too far advanced to be altered. My wishes for such success in your business as may bring you the honour desired. P.S. by Anne Windebank.—My dearest brother, in these few words receive the hearty affection of your most entirely loving sister. [1 p.]

Jan. 9.
Windsor.

81. Dr. Stokes to Sec. Windebank. I send herewith the key of the trunk wherein Sir Henry Wotton's papers are, and which is to be forwarded to Mr. Pay, as the Dean of Canterbury tells me you gave direction. I beg to apologise for not waiting on you last week whilst I was in London, being enjoined by the college of Eton to present our new provost to his Grace of Canterbury, but intend before long, as I hope to be in town again with the Dean of Windsor about that which is his engagement. [1 p.]

Jan. 10.
Whitehall.

82. The King to the Earls of Dorset and Holland, Lord Lieutenants of co. Middlesex. There being present occasion to reinforce the garrison at Berwick, we, with the advice of the Privy Council, do require you to cause 100 serviceable men for the wars to be levied in the county under your lieutenancy, and to observe such directions as you shall receive from the Council. [*Draft.* $\frac{3}{4}$ p.]

Jan. 10. Minute of the same. [*Docquet.*]

Jan. 10.
Whitehall.

83. Resolutions at the Council of War this day. Ordered that the Earl of Newport, Master of the Ordnance, shall be hereby prayed to cause the 3,000 swords made by Stone on Hounslow Heath to be proved, and an estimate made of the charge for so many as shall be found fit for his Majesty's service, that order may be given by the Lords for payment for the same. Order for a warrant to supply

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money, by way of imprest, to Sir Francis Willoughby to pay six gunners in Carlisle, according to the last year's establishment, from 1st of November last. Ordered that the Earl of Newport shall send one ton of match to Sir F. Willoughby for his Majesty's service at Carlisle. There are in Cumberland 600 dragoons raised, and constituted out of such as are by their tenures obliged at all times to go against the Scots with their landlords. Of this number 200 are raised amongst the Earl of Northumberland's tenants. These are well armed with the King's arms, and Capt. Trafford, their colonel, and some other officers receive the King's pay. These landlords complain that they are over-burdened with this charge, and pray some allowance in ease thereof. The Earl Marshal and Lord High Admiral to advise with some gentlemen of Cumberland when they return to town how those dragoons may be more equally proportioned for the charge of that service, and to consider how 400 more dragoons may be added, to make them up into a regiment of 1,000, with least charge to his Majesty, and best ease to that county. Resolved that the army, for which a list is to be drawn up, shall be 20,000 foot and 3,000 horse, consisting of 20 regiments of 10 companies of 100 each, besides officers; that the horse shall be divided into six regiments, each containing so many as are expressed in the establishment. [*Minutes to be entered.* 2 pp.]

Jan. 10. 84. Duplicate of the first and third entries of the preceding
Whitehall. minutes of the Council of War. [$\frac{1}{2}$ p.]

Jan. 10. Grant of a gunner's room in the Tower of London to Richard
Wilkinson, with the fee of 6*d.* per diem during pleasure, in reversion
of John Hayward. [*Docquet.*]

Jan. 10. Warrant to the Sheriffs of London and Middlesex and to the
gaoler of Newgate, commanding them, at the instance of the Queen,
to discharge out of custody William Keath, convicted and attainted
for stealing plate from her Majesty. [*Docquet.*]

Jan. 10. Warrant to the Master of the Great Wardrobe for a livery of
4*l.* 5*s.* 4*d.* for David Murray, his Majesty's tailor, *vice* Robert
Ramsey, deceased. [*Docquet.*]

Jan. 10. 85. Order of Council upon the petition of William Smith, of
London, merchant. Ordered that the report made by Dr. Rives in
the difference between petitioner and William Aldred should, by an
act of the Board, be confirmed, and the costs and charges of peti-
tioner be taxed, unless Aldred shall show cause to the contrary the
next council day after sight hereof. [*Minute.* $\frac{2}{3}$ p.]

Jan. 10. 86. Council warrant to Matthew Francis, one of his Majesty's
Whitehall. sergeants-at-arms, to take into custody Thomas Pentiloe and 14
others, of Wilby, in Northamptonshire, and bring them before the
Lords to answer such matters as shall be objected against them. If
cause shall require, the sheriff of that county is to call a force

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together to assist in the execution of this warrant. [*Signed and sealed. 1 p.*]

Jan. 10.
Whitehall.

87. Council warrant to George Bingley, auditor of imprest. The money collected by the sheriffs and other officers under writs for ship-money issued in 1637, and particularly expressed in a charge for those moneys signed by this Board, is herewith sent to you. Sir William Russell, as Treasurer of the Navy, is by special commission appointed to receive the same, to be by him issued by virtue of the said commission, and such warrants as he should receive from this Board. We hereby require you to take and audit as well the accompt of Sir William as also the accompts of the Lieutenant of the Ordnance and Surveyor of Marine Victuals for the charge of setting forth his Majesty's fleet employed for guard of the seas in 1638. And whereas we are informed that all these moneys were not fully paid by the sheriffs and other officers to Sir William, according to the charge signed by us, we therefore require you to set upon the heads of the sheriffs and other officers respectively so much of those sums charged upon each as shall appear by oath of Sir William, who is accountant for the whole, to be unpaid to him; and when you shall have examined the said accompts, and made them fit to be declared, you are to present the same to this Board. [1 p.] *Enclosed,*

87. I. *Charge of Sir William Russell, Treasurer of the Navy, touching the moneys received of the several sheriffs named, and by them levied under writs for ship-money issued in 1637. Total charged on Sir William, 196,400l. [Signed by the Council. 10 pp.]*

Jan. 10.

88. The Council to the Sheriffs of the several shires. The safety of the kingdom requiring that there should be this year more than ordinary diligence used in hastening the fleet to sea, which cannot be expedited so soon as is necessary, unless the ship-money payable by that county upon writs issued in November last be forthwith levied and paid to the treasurers of the navy, his Majesty requires that you use all possible diligence in levying the same, and that by a day fixed you pay in to the treasurers of the navy so much as you shall have collected, sending in at the same time an accompt to this Board of your proceedings in that business. [*Minute. 1 p.*]

Jan. 10.

89. This day there was presented to the Lords a proportion or allowance of victuals for such landmen as shall for the present or hereafter be transported by sea upon any occasion for his Majesty's service, viz.: for one week without fish; biscuit one lb. per diem; beer three quarts per diem; for two days in the week, beef two lbs., or pork one lb., with one pint of peas; and for the other five days, butter $\frac{1}{4}$ lb., and cheese $\frac{1}{2}$ lb. Which proportion the Lords well approved of, and gave order that the same be entered in the Council book, and that the Lord High Admiral be required, upon all occasions of sending landmen by sea for his Majesty's service, to see that the said allowance for victuals be made them accordingly. [*Draft. 1 p.*]

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Jan. 10.

90. Minute of a pass for William Woodworth, of Lambeth, to travel into foreign parts for three years, with the usual clauses. [$\frac{1}{4}$ p.]

Jan. 10.

91. Attorney-General Bancks to the Clerk of the Council. To send a copy of the letter sent from the Lords to the sheriff of co. Hereford touching the shipping business in the years 1637 and 1638; also a copy of the like letter sent to the sheriff of co. Stafford for the years 1638 and 1639. [$\frac{1}{2}$ p.]

Jan. 10.
Westminster.

92. Sir Richard Cave to [Sir Thomas Roe]. The last week, by Mr. Adamson, I received your letter of the 9th December. I send herewith a copy of the letter which I sent to the Queen of Bohemia the last week, by which you will perceive the resentment of the Prince Elector's devilish usage; that he has not liberty to write or receive a word from anybody; nor has he had one letter of mine since his imprisonment, nor the King's and Queen's, but upon hateful conditions; nor may he talk to any man or any to him except in French, and that aloud before company. They will make him forget his English and whispering. In short, never was man of his condition used so barbarously, and howsoever the Earl of Leicester and M. D'Augier would persuade us here (out of their good wishes to have it so) to some hope of his sudden relaxation, my affection (if not my reason) makes me fear the worst. The Cardinal [Richelieu] is Bavarian, and has hitherto showed it, to the great prejudice of the Palatine House. He has declared to young Windebank that we, the English, do not love the French. In the French letter which you sent me you have seen that others make the same construction, and therefore, though the King has, according to the Queen of Bohemia's desires, forbidden the Earl of Leicester to treat of anything else until the Prince Elector be set at liberty, some, especially the States' ambassador here, seem to be of opinion that his Majesty will not easily prevail that way, but that the King ought in the first place to propose or hearken to such propositions as may be proposed for his Highness' sudden release. Others demand what conditional propositions ought to be made for the relaxation of a Prince so unjustly detained. But, in short, the King and the Lords of the Junto say, that nothing can be done or thought upon to be resolved till Mr. Windebank shall return with answer to the King's letters. Concerning M. Curtius or his employment I can say but little. I was the less inquisitive after it, being not desirous to serve in any business whereunto my master shall not think fit to call me, although it may be I had as little reason to be pleased therewith as others, for though I was here upon the place, and must know what was in hand, yet his Highness never spoke a word to me thereof more than this: After I am gone Curtius shall go to the Landgravine of Hesse and some others thereabouts. This business was carried between Lord Treasurer [Juxon], Sec. Windebank, and Curtius, but Sec. Coke wrote the letter, because the others knew not how, and Sec. Windebank the instructions. Of this you shall hear

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more from me very shortly. Now for court news. The Lord Deputy of Ireland is created Baron of Raby and Earl of Strafford, a hundred in Yorkshire, and Lieutenant of Ireland. We are in huge preparations for Scotland. Sir John Conyers is made Governor of Berwick, and captain of a troop of horse. Sir Thomas Lucas is Commissary-General of the Horse in Ireland, and has a troop there. Sir Nicholas Byron, Governor of Carlisle, and (as it is said) shall be Sergeant-Major-General of the Army. Sir Jacob Ashley is not talked of. Sir Simon Harcourt may have employment if he will. You know the great places. The Earl of Northumberland [is] General. The Lieutenant-General's place is not named, but very privately whispered for the Lord Lieutenant of Ireland; but I pray make me no author of that part. Lord Conway, General of the Horse. The Lords Marshal, Essex and Holland, are much discontented. The raising of troops before a parliament begets discourse and censures of several sorts. Thus you see that we are ready to scratch one another's faces. For my part I push not very hard after any employment in these occasions. I shall be glad to live to do my master service in the wars out of Great Britain; I care not much for fighting in this island. I have sent a short letter to M. Rusdorfe, but it is only to refer him to you; yet you may tell him no more than what you shall think fit. When I came from the court after dinner I left Sec. Coke in the resolution presently to write to you; to him and the enclosed I refer you. For, besides the last week's letter, I send likewise a copy of that which I am to send to her Majesty [the Queen of Bohemia] this evening. P.S.—I beseech you let me know what title I must give M. Rusdorfe in my next letter, "ambassador or resident," for I know these things are expected amongst them, but if he were an Englishman I could say for Jack or Will. Rusdorfe. I pray let one of your men write somewhat upon it, and then give it to him. I have only referred him to your letter. [2 pp.]

Jan. 10. 93. Archbishop Neile, of York, to [Sec. Windebank]. In my last Bishopthorpe. I promised to give you an account of such information as I should receive from Newcastle concerning Dr. Jenison. The truth is that he lives there under jealousy and suspicion of doing no good offices there, but nothing can be proved to fasten an accusation upon him. I am promised that there shall be a watchful eye had upon him, and if anything shall be discovered of his holding secret conventicles or conferences, or any other misdemeanours, that I shall have present notice thereof. Upon receiving my letters, enclosing a copy of yours to me, the Bishop of Durham wrote to Dr. Jenison, and, acquainting him with the effect of yours, advised him to avoid the jealousy conceived of his misdoing there, by removing his dwelling from thence. To which he returned answer by protestation, that he held not any manner of secret conventicles or meetings or conferences with any, nor would do anything to his Majesty's disservice or the disturbance of the government of that place. He complained that by his being suspended from his ministry, and deprived of the

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place and maintenance which he had there, himself, his wife, and children were undone, and he should be constrained to sell his goods for his relief; that for the present time he was in bodily infirmity, by reason whereof he had been constrained to keep his house some time past; yet in obedience to his Majesty's pleasure he would prepare himself, so soon as possibly he could, to remove his dwelling, as the season of the year, his health, and poor means might enable him to do it. He has in some former passages of his with me professed his willingness to live in due conformity to the laws, canons, and ceremonies of the Church of England; but it is manifest he does not that good there that he might do by his example of conformity. I understand that things are amiss there, that the faction increases, that many of them abandon the Common Prayers of the Church, some not coming to the church till the singing of the psalm before the sermon, of which crime I cannot excuse Dr. Jenison; others of them gadding abroad every Sunday, to the place where Mr. Lapthorne preaches, and to other like places. This is all that as yet I have to inform you concerning Dr. Jenison and Newcastle. It is now time that I should present to his Majesty a certificate of the due observation and performance of his royal instructions throughout this province. I have heretofore been bold to offer his sacred Majesty tedious discourses both of mine own diocese and also such certificates as I received from my brethren, the bishops of this province; I will now make amends with brevity, which I pray you to present to his Majesty, and inform him that I have received certificates from the bishops of Durham, Chester, Carlisle, and Man severally, in which they assure me that these instructions are punctually observed in their several dioceses. For my own diocese I should be unmannerly to trouble his Majesty with things not worthy his cognizance, by only repeating what I said in my last year's certificate. I assure you all his Majesty's instructions and directions are and shall be duly observed by me and all my officers. I trust his gracious Majesty will accept of this for the present. My prayers for his Majesty's health, long life, and prosperous success in all his great affairs. [*Endorsed by Windbank as received on the 14th and answered on the 17th instant. 2 $\frac{3}{4}$ pp.*]

Jan. 10. 94. Capt. William Legge to [Nicholas]. On the 23rd July 1639, one master-gunner at 2s. per diem, a gunner's mate at 1s. 6d., and four gunners at 12d. each, were sent to Carlisle with sufficient money to pay their entertainments until the 31st October, since which time they have received no allowance, as Sir Francis Willoughby has certified. P.S.—One of the four gunners was discharged by me for misdemeanour at my being in Carlisle. [1 p.]

Jan. 11. Petition of the Lord Mayor, Commonalty, and citizens of London, Governors of Bridewell Hospital, to the King. We received your Majesty's reference subscribed to a petition of Peter Welsh, one of the artsmen in the hospital, requiring us to give him satisfaction

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or to return answer to your Majesty, and since a note from Welsh containing all the particulars of his alleged losses and hindrances, for which he seeks satisfaction. Upon inquiring into the particulars we find all his suggestions and complaints to be causeless and false, and we conceive he ought not to receive from us any other satisfaction than he has had. We certify your Majesty that Welsh, being received an artsman into the hospital in January 1630, was ordered to become bound as other artsmen were wont to be, for preventing their leaving their wives and children a burden upon the hospital in the event of their death, but he delayed getting his covenants sealed for seven years, and afterwards refused utterly to give security, so that a suit had to be commenced to eject him, to frustrate which he has presumed to trouble your Majesty, and feigned this note of grievances. Here follow answers to the specific articles of complaint preferred by Welsh against the Governors. Petitioners having only the public good in view in the administration of the affairs of the hospital, on which they have bestowed much labour, pray that for the better government of the same they may legally proceed against Welsh. *Underwritten,*

1. *His Majesty is well satisfied with this answer of the Governors of Bridewell Hospital to the complaints and suggestions of Peter Welsh, and that his complaints are scandalous, and made in opposition to government and the rules and orders of that house, which his Majesty much dislikes, and therefore is pleased to leave him to be proceeded against and dealt legally with by the Governors according to their orders of government. Whitehall, 11th January 1639-40. [Copy. See Book of Petitions, Vol. cccviii., p. 131. 1½ p.]*

Jan. 11.
Whitehall.

95. Minute of proceedings at the sitting of the Council of War this day, viz., warrant for payment of 500*l.* to Sir Francis Willoughby for reparation of the citadel and castle of Carlisle and other works to be done there for his Majesty's service. Resolved, that the Earl of Newport with the officers of ordnance be required to send for some of the gunmakers to treat for making so many carbines and pistols as they can possibly without hindering their making of the 1,600 muskets monthly which they have already undertaken to furnish for the King's service, and to endeavour to draw them to the lowest price he can; also to cause the said gunmakers to set down how many carbines and pistols they will furnish monthly and at what rates. A warrant to be drawn up for payment of a sum not specified to Sir John Heydon, Lieutenant of the Ordnance, for completing defective arms in the Tower and in the north. This day Sir Nicholas Byron and Sir Thomas Lucas were appointed to attend the Earl of Newport to view all the arms, as well for foot as horse, in the Tower, which were bought at Hamburgh and sent over by Sir Thomas Roe for his Majesty's service. [1¼ p.]

Jan. 11.
Whitehall.

96. Warrant of Council of War to Sir Robert Pye. To issue 1,000*l.* upon accompt to Sir John Heydon, Lieutenant of the Ord-

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nance, to be paid over to Samuel Cordewell, his Majesty's gun-powder-maker, for powder delivered into his Majesty's stores for use of the army intended to be forthwith raised; this sum being part of the 300,000*l.* appropriated by privy seal of the 8th inst. for such his Majesty's services. [*Draft.* 1 p.]

Jan. 11. 97. Archbishop Neile, of York, to Sec. Windebank. I wrote Bishopthorpe. yesterday to advertise you of such informations as I received from Newcastle [*see this Vol., No. 93*]. I have this day received a letter from thence, which I hold it my duty to send you, and I presume you will show it to his sacred Majesty. The gentleman herein named, Mr. Middleton, of Belsay, is a man no better affected to conformity than he should be; he has a private chapel at Belsay, where all comers are permitted to preach, and to which the humoursome, factious people of Newcastle have ordinary recourse when they are disposed to abandon Common Prayer in their parish churches. [*Episcopal seal with arms.* $\frac{3}{4}$ p.] *Encloses,*

97. I. Yeldham Alvey, vicar of Newcastle-upon-Tyne, to Archbishop Neile. *Since I wrote last, there have been in our town two covenanters of Scotland of no mean note, Sir Walter Riddell and Sir John Bohannon [Buchanan]. I heard that Mr. Middleton, of Belsay, and some three or four of our nonconformists held a more familiar correspondence with them than was fit, and accompanied them both in walking about the town walls, and also at their lodgings and other places. Sir John Buchanan continues yet in the town, for what purpose I cannot guess, unless it be to sound the humours and dispositions of the people which way they stand inclined or affected. There is not such a watchful eye kept over these men by our mayor as is requisite in these dangerous times there should be, and therefore I thought it not amiss to give you private intelligence of it. I fear my letters to the Archbishop of Canterbury must have miscarried, because I have heard nothing of them. Newcastle, 9th January 1639-40. [Seal with design. $\frac{3}{4}$ p.]*

Jan. 11. 98. Notification signed by Bishop Juxon, of London, and Lord London House. Francis Cottington. That his Majesty was pleased to allow to the adventurers of the 800 fen further time until 1st April next for completing their drainage works, the same not having been perfected within the six months formerly allowed them beyond the time fixed in the letters patent. The reasons alleged by the Earl of Lindsey and his partners for this delay were that some of the chief adventurers were employed in his Majesty's service in the northern expedition, the supply of labour diminished by reason of the levy of men in Lincolnshire, and the dissatisfaction expressed by Sir Charles Harbord, his Majesty's Surveyor-General, with the works of their design, which for greater security were ordered to be remade. [$\frac{1}{2}$ p.]

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Jan. 11.
Gravesend.

99. Thomas Woodcott to Captain Cartwright, Comptroller of the Navy. Sends the enclosed notes, which he had hitherto retained, intending to deliver them to Cartwright when he should come hither. [*Seal with device.* $\frac{1}{3}$ p.] *Encloses,*

99. I. *A list of propositions relative to the projected building of an arsenal for the King's ships.* [$1\frac{1}{4}$ p.]

Jan. 11.

100. [The same to the same.] As the navy royal must be a perpetual and great charge to his Majesty and the kingdom, especially the great ships, care should be taken to preserve them from the violent heat of summer and the moisture of winter, which may be done by the use of an arsenal to lay the ships dry in dock. This would conduce to his Majesty's pleasure and profit. It would be a great pleasure to his Majesty to see his largest ships lying safe and dry without danger of rotting in the river, artificially protected from heat and wet, and a great profit several ways, but especially in long durance and readiness for use of a sudden upon all occasions. A very fair proposition may be made to the Lord High Admiral concerning this design for an arsenal, viz., 1,500*l.* per annum will cost 30,000*l.* His Majesty may save so much yearly in mere victuals and men's wages by this way, besides a great deal more in wear and tear. Principal advantages to be expected from such an arsenal as here projected. [$1\frac{2}{3}$ p.]

Jan. 11.

101. Bond of John Lascoe and John Mantell, of Croydon, in Surrey, in the sum of 50*l.* to the King. Conditioned that John Lascoe shall not take, kill, or destroy hares, partridges, or pheasants, then this present obligation to be void. [$\frac{3}{4}$ p.]

Jan. 11.
London.

102. Bond of Jean La Cams, a Frenchman detained at Dover under suspicion of mixing metals, in which he binds himself to depart the kingdom within eight days, and not to return without the King's license. [*French.* $\frac{1}{2}$ p.]

Jan. 11.

103. Certificate by Sir William Russell what money has been paid to the treasurers of the navy upon the writs issued for ship-money in 1638, since the last week's certificate. Total 140*l.* [$\frac{1}{2}$ p.]

Jan. 11.

104. Receipt of Valentine Petit for 8*l.* 6*s.* 6*d.* for silk, camlet, and plush delivered to Edward Nicholas. [$\frac{1}{2}$ p.]

Jan. 12.

105. The Council to Edward Earl of Dorset, and Henry Earl of Holland, Lord Lieutenants of Middlesex. By his Majesty's letters sent herewith you shall understand his intention for the levying of 100 foot soldiers within the county under your lieutenancy, for reinforcing the garrison at Berwick, and by the same you are referred for instructions to us. We therefore require you to give especial care to the choice of the men, that they be of able bodies, of the proper age for service, and well clothed. These men are not to be taken out of the trained-bands, which are still to be kept entire. They are to be led by their conductors to the Tower wharf, there to be delivered to such captain or officer as shall be appointed by

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the Lord-General to receive them by the 18th inst. We think fit that they be allowed 8*d.* per diem from the time of their being delivered to their conductors, who are likewise to have a reasonable allowance assigned by you according to the precedent of former times, having regard to the number of men they are severally to conduct, thus enabling them with some assistance to keep their men from straggling and pilfering. You are to take order that the money for coats and conducting of the men, and pay of the conductors until the former be delivered over to their captains at the Tower wharf, be disbursed by the latter and levied in the country according to precedent; the country to be repaid the same upon accompt made out of the Exchequer as in former times upon the like occasions. You are to take care that indentures be delivered of the number and quality of the persons received at the rendezvous, whereof one duplicate to be sent to the Board that accompt may be given when required. Lastly, we require the justices of peace and all other officers to be aiding to you in the performance of this service. [*Draft.* 2½ *pp.*]

Jan. 12. 106. Council warrant for the apprehending of delinquents in retailing tobacco without license contrary to his Majesty's late proclamation, and to the prejudice of the patentees, thereby disabling them to pay their rent, and for contempt in refusing to appear before the Commissioners for Tobacco; the said delinquents to be brought in custody before the Board to answer to such matters as shall be objected against them. [*Draft.* 1 *p.*]

Jan. 12. 107. The like directed to John Lysney, a messenger, to bring before the Board John Spy, of Hastings, Sussex. [*Minute.* ¼ *p.*]

Jan. 12. 108. Receipt given by Henry Kyme for 52 letters from the Council directed to the sheriffs of all the counties in England and Wales, except Kent, and one to the mayor and sheriffs of Bristol. [¼ *p.*]

Jan. 12. 109. The Commissioners of Sewers to the Council. We received your letters with a petition enclosed exhibited by two of the inhabitants of Sutton-in-the-Marsh, co. Lincoln, wherein they pretend a grievance imposed upon their town by us and other the Commissioners of Sewers in wrongfully taking from them an ancient privilege of swiftage, and in allowing it to the levy towns. For answer to both it may be stated that 20 years since there being found by the Commissioners an error of exempting certain grounds lying within frontage towns from charge of sea-banks, which they called swiftage, and finding no reason for that exemption they did condemn it by decree, and made all acres lying within the like danger alike chargeable. About nine years since, the then Commissioners finding upon accompt that Sutton was in like error they reformed it by like decree. Touching the other complaint that the Commissioners did admit swiftage in the levy towns, may it please your Lordships to be informed that in 7 Hen. VII. a Commission

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of Sewers was directed to Sir John Kendall, Lord St. John, and others, who took a general survey of all acres lying within danger of the sea from the water of Lymm to Saltfleet Haven, within the parts of Lindsey, and left the more particular survey of the levy towns to two of their fellow Commissioners, who charged the constables and other the chiefest inhabitants of every township to deliver upon oath the number of acres in each town chargeable to the surround of the sea. These indentures, which are enrolled, deliver the parcels of each of the levy towns in danger of the sea overflow, and which were liable to the making of a new bank when requisite, so that there was no allowance of swiftage in any of them. In obedience to your commands we have certified the truth of the case of swiftage in both, that it is neither to be allowed in the frontage nor charged upon the levy towns, referring it with the censure of the petitioners and other inhabitants of Sutton to your consideration, as well for their bold presumptions in misinforming you as for laying an aspersion upon us, who, in regard of our great pains and care for their good, deserve a much better respect from them. [1 p.]

Jan. 12.
Drury Lane.

110. Sec. Windebank [to Sir John Conyers]. Before the receipt of yours of the 24th ult. I had by his Majesty's commandment directed another letter to you of the 8th inst., which I delivered to Sir William Boswell to be conveyed to you, and which I believe was sent by the ordinary post last week. By that you will find the great difficulty removed which, I perceive by your letter, kept back your resolution of accepting that which by my first letter of Nov. 1st I offered to you. This difficulty I conceive was the uncertainty of the continuance of the employment intended for you here, whereas that which you now enjoy in those parts is sure, besides your further hopes of bettering it, and the estate in land which you hold there in right of your wife. But to speak clearly to you, and that not of myself, but by commission and commandment from his Majesty, who has been pleased of his princely goodness and opinion of your merit to take you into his consideration, I have order from himself to acquaint you with the particular employment which he intends to confer upon you, and that is the government of Berwick, where a garrison of 1,200 foot and four troops of horse are stationed for securing that important place against his rebellious subjects of Scotland. The place is to be settled upon you by patent during your life, with an entertainment of 3*l.* a day. You are besides to have a troop of horse of 60 arquebusiers, with their officers, and a company of foot consisting of 200 men. But no advantage at all is to be taken upon dead pays, which his Majesty will in nowise admit, considering the largeness of the entertainment both to yourself and your officers, which is higher than that given by any other prince. The subordinate officers are to have liberal allowances, viz., the captain of the horse, 24*s.* a day and six horses; lieutenant, 8*s.* and three horses; cornet, 4*s.* and two horses; quartermaster, 4*s.* and two horses; corporals, 2*s.* 6*d.*; trumpet, 2*s.* 6*d.*; soldiers

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cuirassiers, 2s. 6d.; carabineers, 2s. His Majesty makes these liberal allowances to take away all sharking by dead pays, and if any captain or other officer shall be found taking advantage of dead pays, being thus royally paid, it shall be capital to him, and he shall be punished with death. Besides this you are to be Deputy Lieutenant of the counties next adjoining to Berwick, that you may have power for his Majesty's service in those parts upon all occasions. These are the certainties intended for you. But these are not all; his Majesty likewise purposing to make you Lieutenant-General of the Horse of his army designed this year for the north, whereof the adjoined letter from the Lord High Admiral, whom his Majesty has declared General of those forces, will give you more particular information, he having command from his Majesty to let you know what trust he intends to repose in you in these temporary services under the Lord-General. His Majesty will likewise write to the Prince of Orange to dispense with your service there, though it cannot be expected that you shall continue in that employment long, if you accept this. If you can bring with you any gentlemen of consideration experienced in horse service they shall be well entertained here. It remains that now you understand the particulars, and that these motions come from his Majesty, you presently by this bearer, who is expressly sent to you for that end, return me your positive answer and resolution, that so his Majesty's great affairs, which depend much hereupon, may be ordered accordingly. Your friendly expressions to myself in your letter are great obligations laid upon me, which I shall be ready to acknowledge and acquit myself of, whensoever you shall esteem me worthy to be commanded. P.S.—I desire you to give the messenger direction where to deliver the letter from the Lord High Admiral to Mr. Willmott, because it requires a present answer. *Endorsed*, "Duplicate of Mr. Secretary Windebank's third letter to me in Holland." [Copy. 2½ pp.] *Annexed*,

110. I. *Algernon Earl of Northumberland [to Sir John Conyers].* A letter from me may come unexpected to you, but the King being pleased to declare that he has a purpose to commit the trust and command of the army now intended to be raised to me, has given me leave to let you know that if you like [to accept] of the government and conditions which he has directed Sec. Windebank to offer you, he will likewise confer upon you another mark of his favour, by employing you in his army, where you shall have a regiment of cavalry, and be Lieutenant-General of the Horse. The charge, I hope, will not appear to you unfit for a gallant and deserving man. The entertainment belonging to this command in the army, besides all the profits of your government [of Berwick], will be near 5l. a day. The service you will be able to do the King, my master, is the most powerful invitation I can use to persuade you hither, and if in this I may prevail, no

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man shall more value your worth nor be more ready to serve you than your friend and servant the writer. P.S.—If you resolve to embrace these offers, you will do the King a service and me a very great pleasure, in drawing hither as many as you can possibly of our nation, who understand cavalry service, and I daresay they shall have better entertainment than is given to [by?] any other prince or state, and be preferred to good commands. London, Jan. 12, 1639-[40]. Endorsed, "Duplicate of my Lord of Northumberland's first letter to me into Holland." [Copy. 1 p.]

Jan. 12. 111. Draft of the above letter of Windebank to Sir John Conyers, with a few words in shorthand on the back. [2 $\frac{3}{4}$ pp.]

Jan. 12. 112. Bishop Morton, of Durham, to Sec. Windebank. According to his Majesty's commands expressed in your letter, which I received on the 31st ult., I sent to the captains under my lieutenancy that three companies of the regiment might with all celerity be chosen for his Majesty's present service, which was accordingly performed. These companies on the 8th inst. set forward from Durham in their march towards Newcastle. Thus much I certified you by the last post, but fearing miscarriage I have renewed it by this gentleman. The time of mustering, and since their marching having been most unseasonable in this country, has been the cause of some little delay. [Episcopal seal with arms. $\frac{2}{3}$ p.]

Jan. 12. 113. Advice addressed to James I. [by Sir Henry Neville?] touching the holding of a parliament, with marginal notes in the handwriting of Archbishop Laud. [This document has been already calendared under its correct date, July 1613, but as the present copy bears the endorsement "Received January 12, 1639-40," it is probable that it was consulted as a precedent for the expediency of calling a parliament this year. 3 $\frac{1}{2}$ pp.]

Jan. 13. Petition of Lodowick Wemys, his Majesty's chaplain in ordinary, to the King. Your Majesty recently conferred upon petitioner the parsonage of Wheathampstead, Herts, but within these few days the Bishop of Lincoln has brought a writ from the Common Pleas and served it upon the church door, charging petitioner to appear and render a reason wherefore he has hindered him from presenting a sufficient clerk to the living, being now, as he alleges, in his donation, although the rest of his lesser livings be given by the Lord Keeper, yet he cannot tolerate that your Majesty should dispose of the greater, especially to petitioner, whom he has most notoriously and injuriously oppressed many years ago, by giving away from him a former living which your Majesty did, *pleno jure*, bestow upon him, being the first ecclesiastical living that ever your Majesty did give, the recovery of which, besides the miserable and unhappy distraction of petitioner from his private studies, put him to a charge of 300*l.* at least, as was signified to King James. Prays

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the King to direct some course that petitioner may be freed from the tyranny and malicious intentions of the bishop, whose study is to disturb petitioner from the peaceable enjoying of that blessing which you were pleased to confer upon him. *Underwritten,*

1. *His Majesty's pleasure is that the Chief Justice of the Common Pleas shall cause the writ of quare impedit to be stayed, and take order that petitioner be not prejudiced thereby, but that he may be in quiet possession of the said living, as he was before the granting of the writ. Whitehall, 13th January 1639-[40]. [Copy. See Book of Petitions, Vol. cccviii., p. 134. =1 p.]*

Jan. 13.
Whitehall.

Minute of proceedings at the sitting of the Council of War this day, viz., a warrant for Capt. Lloyd, his Majesty's engineer at Berwick, to take up at Newcastle such carpenters as shall be necessary for the works there. Resolved, that the foot soldiers intended to be levied for his Majesty's army shall be raised by way of press in the several counties on this side Bawtry, in co. York, and that officers be sent into every county to see that good and able men be taken, which officers are to enter into pay from the time they shall be so employed. Resolved, that every troop of cuirassiers shall consist of 100 horse besides officers, and that the captain for raising such troop shall have 20*l.* for each horse. The arms for the horsemen shall be completely furnished out of the King's store, but the saddle and all other furniture for his horse, estimated to be worth 2*l.* 10*s.*, to be found by the trooper. Every troop of carabineers is to consist of 52 or 60 horse soldiers besides officers, and the captain to be allowed 15*l.* for raising each horseman of his troop; the arms to be furnished by the King, but the saddle and furniture for the horse by the trooper, as is ordered for the cuirassier. Resolved, that a weekly deduction be made of 5½*d.* per diem out of the pay of every captain and troop of cuirassiers for the arms delivered to them by the King, but upon the return of such arms into the store their money deducted to be repaid in full; also a like deduction of 4¾*d.* out of the pay of every captain and troop of carabineers for the arms delivered to them by the King; so as his Majesty may by such deduction be fully reimbursed in a year for such arms as are delivered out of his stores, and if the captain shall die within the year the deduction to be continued from his successor. The price and charge of a cuirassier's arms is 8*l.* 10*s.*, and of a carabineer's 7*l.* 6*s.* A weekly deduction is likewise to be made from the pay of each captain and company of foot for their arms, which are priced at 40*s.* apiece. The like for the clothes of the foot soldiers, valued at 40*s.* Resolved, that there shall be a proportion of bread allowed daily to the common soldier, deduction for the same being made out of his pay, according to the King's rate. The Lord-General to give special order that the bread be well conditioned and justly rated. [*Written on the same paper as No. 95 of the present volume, which see. =2 pp.*]

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Jan. 13. 114. Council warrant to the farmers and officers of the ports in
Whitehall. Sussex and Southampton, to suffer John Ashburnham, Esq., Nicholas
Woolfe, gent., and William Margerome, merchant, in accordance
with their petition, to export 300 lasts of wheat, 100 lasts of rye,
the like of barley and of malt, the same being under the prices
allowed by statute, they paying his Majesty's customs and all other
dues. [*Draft. 1 p.*]

Jan. 13. 115. The like to Capt. Lloyd, his Majesty's engineer, authorising
Whitehall. him to take up by way of press or otherwise so many carpenters
and other workmen as shall be required for the fortifications at
Berwick. [*Copy endorsed as entered. $\frac{3}{4}$ p.*]

Jan. 13. 116. Minute of a warrant to release John Lascoe from the Gate-
house Prison. [$\frac{1}{4}$ p.]

Jan. 13. 117. Sir Nathaniel Brent to Archbishop Laud. On Wednesday
Oxford. as soon as our election was finished I forwarded to you an account
of our doings, but having received no answer I suppose it was not
delivered in due time. Now I crave leave to write the same again.
We elected, 1st, Sir Hill, of St. Mary Hall, formerly a postmaster in
our college [Merton]. He was not eligible by his country, but being
the best learned of all who stood we consented to choose him, and
he had every voice. 2nd, Sir Jones, not eligible, and elected unani-
mously as Hill. 3rd, Sir Whisler, of Trinity College, who was
eligible, and, being proposed in opposition with another, had every
voice. 4th, Lee, of Brazenose, son of Mr. Lee, who was sometime
fellow of All Souls, and died prebendary and treasurer of the church
of Salisbury. I proposed him with one Locket, of St. Mary Hall,
and formerly a postmaster in our house. Lee had 8 voices out of
the 13, and Locket 5. I desire to know your pleasure for the time
of their admission in *annum probationis*, and for the admission of
the bachelor fellows in *numerus magistrorum*. I purposed to
have been in London the first day of term, but shall be detained
by private business a few days longer, except you command the
contrary. We never have anything to do on the first court of the
delegates because Mr. Freeman does not use to come up so soon,
and in the Court of High Commission your Grace will be abundantly
assisted. I will not fail to bring with me the injunctions and
queries. [*1 p.*]

Jan. 13. 118. Deputation from Theophilus Earl of Suffolk, Lord Warden
of the Cinque Ports, to Richard Langley, to be droit gatherer in the
town and liberties of Ramsgate, with authority to seize to the Earl's
use all prohibited and uncustomed goods and merchandise as shall
be unlawfully and without sufficient warrant embarked to be
exported or unlawfully imported and landed at any place within
the town and liberties of Ramsgate or within the jurisdiction of the
Cinque Ports, and likewise to inquire what murders, piracies,
felonies, quarrels, or assaults have been committed at sea or on
shore under high-water mark. [*Parchment, half skin.*]

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Jan. 13.

Drury Lane.

119. Robert Read to his cousin [Thomas Windebank]. Yours of the 17th of February [December?] came to hand yesterday very orderly, the posts being lately more regular than they were wont to be. The Secretary's diet, as I told you in my last, is fallen to our lot, but I do not find that we have much more sign of seniority, Mr. Treasurer having full as much of the foreign business as Sec. Coke had. The Spanish, Italian, and Flemish correspondence falls to us, and the German, French, and Dutch to Mr. Treasurer. Thus the King has allotted to them their jurisdictions, yet so as that the ministers of all parts are to send duplicates of their ordinary intelligences to either of them, but of businesses of secrecy which shall be given in charge to any of his Majesty's ministers abroad accompt is to be made only to that secretary who signified his Majesty's pleasure therein to them. Francis Windebank's pretences to the widow ceased with her going out of town, which was a little after your departure hence, since which time I believe she has been very little in his thoughts. It is not yet resolved whether he shall have horse or foot, but I advise him if he cannot have the former to refuse the latter, since I hear there be many his inferiors who are like to have cavalry commands. Mrs. Harrison is yet a virgin (at least goes for one), and I hear will not consent to be married before Easter. Though none of my intelligences are of much value, yet I thought a relation of the generals of our army would have been needless, since I doubted not but you had heard it long since. The Earl of Northumberland is declared General, Lord Conway General of the Horse, and Sir John Conyers is designed for Lieutenant-General and Governor of Berwick, the Earl of Lindsey having left that last employment. But Sir John is yet in employment in the Low Countries, so it is not yet certainly known whether he will leave his charge there, where he is married and settled, to accept of this, though certainly this latter is far more honourable and beneficial than any he has or is like to have there. All martial affairs are consulted and ripened by a Council of War lately formed by commission to the Earl of Northumberland, who is President, the Lord Treasurer, Marquis Hamilton, Earl Marshal, Lord Lieutenant-General of Ireland, for that is the Lord Deputy's style now, Earl of Newport, Viscount Conway, Lord Cottington, the two Secretaries, Colonel Goring, Sir William Uvedale, Sir Jacob Asteley, Sir John Conyers, and Sir Nicholas Byron. These sit constantly three mornings a week, and, I assure you, ply their business hard. There are some Lords and others Covenanters, in all four, coming from Scotland; some call them Commissioners, but I cannot think rebels worthy of such a title, especially being employed from rebels. They had been here ere this, had not one of them fallen sick by the way. The King was contented at the [Covenanters'] earnest suit to suffer some of them to come, and will be so gracious as to hear what they will propose, but makes little accompt of anything to be done by them, and therefore his preparations slacken not an inch. P.S.—Present my service to my cousin Kitt, and to Mr. Aubert, and tell him I am

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extremely sorry he has such ill luck in his business; I hope it will be my fortune one day to serve him to some purpose. [3 pp.]

Jan. 13. 120. Henry Earl of Danby to Sec. Windebank. As is meet for
Cornbury Park. men of my years, having irrevocably conveyed the most part of my estate both real and personal to my brother or his children, and settled the rest in feoffees for performance of my will, I could not of a sudden reply to the King's letter lately received, but I dare now undertake to lay down 5,000*l.* at least this next term, being ready to obey his Majesty's further pleasure in all particulars appertaining thereunto.

Jan. 13. 121. The Mayor and Jurats of Sandwich to [Theophilus Earl of
Sandwich. Suffolk, Lord Warden of the Cinque Ports]. By your letter of the 31st December you presented to this poor decayed town Edward Nicholas, Esq., to be one of the burgesses for the ensuing parliament. We confess he is a gentleman whom we love and honour, and one who has well deserved of this corporation, and from our hearts we wish that we had known his desire sooner, so many are there who have solicited for the place. Yet for our own parts, being but a few, only 13, having reserved ourselves free from any private engagements upon your entreaty, we shall do our full endeavour to move and persuade the multitude of freemen here, who have voices in this election as well as we, by reasons and otherwise to fix their eyes upon him, the rather for your sake, who if you vouchsafe but to cast a favourable glance upon the deplorable estate of this poor frontier town, one of the Cinque Ports and keys of the kingdom, it may thereby retain and raise up its head again out of the ashes of imminent ruin and decay. *Endorsed*, "Copy of a letter from the mayor and jurats of Sandwich to his Excellency." [1 p.]

Jan. 14. Petition of the Company of Merchants Adventurers of England to the King. Petitioners according to your order of the 3rd inst. attended the Duke of Lennox, and expressed their earnest desire to be his servants in the farm of his patent for transportation of white undressed cloths, but the conditions not being accepted by his Grace they humbly crave pardon to trouble you therewith once more, and, continuing in their former submission, offer the whole cause as it now stands to your royal determination. Petitioners when admitted to treat with his Grace, calling to mind the great loss they had sustained in 4½ years of more than 2,700*l.* by the farm of this license, under the late Duchess of Richmond and Lennox, at 2,600*l.* per annum, offered the Duke 2,000*l.* a year rent besides the charge they were to be at in the service of the patent, and in case that in any one year the cloths issued out should advance more than 2,000*l.* they engaged to accompt for the same to his Grace. The Duke insisting upon 2,600*l.* per annum petitioners offered a rent of 2,200*l.* without any other conditions, the same to be paid half-yearly in advance. This offer they have now once more tendered to the Duke, being the most they dare venture upon, considering the state of their company and the experience they have had of this license,

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which upon an average of seven years has not yielded much above 2,100*l.* per annum, and was never more likely to decrease than now in respect of the great quantity of white cloth made in the United Provinces. Yet, together with the renewing of petitioners' last offer, there was something by the way propounded how indifferent it would be to the company either to deal with the Duke for a yearly rent or otherwise, that from time to time the company would pay him 2*s.* 8*d.* according to his patent from all such cloths as they could not ship upon their own free license, although that this alteration from 16*d.* upon every cloth which has been in train so many years may cause some disturbance in trade. All which petitioners humbly submit to your Majesty, and with all obedience attend such order as you shall direct herein. *Underwritten,*

- I. *Petitioners having been contented to refer the differences between them and the Duke to his Majesty's decision, he is pleased to declare that they shall pay to the Duke a rent of 2,600*l.*, to be paid half-yearly in advance, and besides shall entertain and pay all such servants as were formerly employed in that business by the late Duchess, or otherwise if they shall dislike these conditions his Majesty leaves the Duke to the legal right of his patent, and them to the like of theirs. Whitehall, 14th January 1639-[40]. [Copy. See Book of Petitions, Vol. cccviii., p. 133. =1½ p.]*

Jan. 14. 122. Certificate of Sir Francis Knollys that William Weston, of Newbury, and Richard Novys, of Tilehurst, formerly complained of as defaulters at musters in co. Berks, had conformed and paid the messenger's fees. [*Endorsed as entered.* ⅔ p.]

Jan. 14. Note of appearance of Richard Woolfe, of Stamford, co. Lincoln, being sent for by warrant of the Commissioners for Saltpetre and Gunpowder [see Jan. 3], but is to remain in the messenger's custody. [See Vol. ccxcvii., p. 112. 4 lines.]

Jan. 14. 123. Warrant to the clerk of the signet in attendance to prepare a privy seal for payment of 200*l.* to Edward Nicholas, clerk of the Council, out of the profits of the Admiralty remaining in the hands of the registrar of the Admiralty, as of free gift without accompt for services already rendered by him to his Majesty, and an annuity of 200*l.* to be paid out of the fines, compositions, and other profits of the Alienation Office by the receiver of that revenue quarterly, to commence from Lady Day next during pleasure. [*Draft.* 1 p.]

Jan. 14. 124. Statement by Nicholas of the arms in store and of the proportion to be supplied towards furnishing the army for the north. There are to be provided for the army arms for 35,000 foot and 3,000 horse. For a magazine to remain in the Tower, arms for 20,000 foot besides horse. Also for other services, arms for 5,000 foot. Total for 52,000 foot, whereof muskets 35,000, and pikes 17,000, besides 3,000 horse. Total of money demanded for com-

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pleting the arms for foot and horse, besides the 500*l.* already impressed, 1,597*l.* 7*s.* 6*d.* Total of the money demanded for furnishing the arms wanting for foot, 55,319*l.* The like for furnishing the arms wanting for horse, 9,364*l.* 2*s.* Total in all, 66,280*l.* 9*s.* 6*d.* [*Draft.* 3 *pp.*]

[Jan. 14.] 125. Notes by Nicholas relative to the proportion of arms required to be provided and the cost of the several sorts. Total, 10,652*l.* 2*s.* [*Strip of paper.*]

Jan. 14. 126. Note of the charge of a cuirassier's and a carabineer's arms, viz., the former comprising a cuirasse, case of pistols, sword, and belt, 8*l.* 10*s.*, and the latter a harquebuse, armour, case of pistols, carabine, sword, and belt, 7*l.* 6*s.* [$\frac{1}{2}$ *p.*]

[Jan. 14.] 127. Petition of Peter Robinson, feltmaker, to the Council. That petitioner having served Mr. Mackerill, a freeman of the Haberdashers' Company, for 8 years, was about 13 years ago sworn and admitted into that company, and has ever since paid quartering and been obedient to the said company. The Company of Feltmakers about a year since often warned petitioner to their hall, as well to make his master's piece, which he never denied to do, as to pay quartering. That the Company of Feltmakers were not denied search in obedience to their charter, not having demanded it. The company nevertheless sent their officer to require petitioner's attendance at their hall, but he went not, conceiving that he had been guiltless of offence, whereupon he was apprehended by a messenger on the 17th June [1639] and carried before Sir Edward Bromfield, alderman of London, who hearing the matter in difference moved the company to refer it to the Council or to the Lord Mayor and Court of Aldermen, which the company denied to do. Petitioner is a poor man and ignorant of the law, but finds in the letters patent granted to the Company of Feltmakers an express provision that no grant made to the same should be construed or extended to the prejudice of the Haberdashers' Company, to which he pays quartering. Prays order that his cause may be referred to the Lord Mayor to examine, or else that he and the Feltmakers' Company may be left to the law, and in the meantime he may be dismissed from attendance and payment of fees. [$\frac{3}{4}$ *p.*]

VOL. CCCCXLII. JANUARY 15-27, 1639-40.

Jan. 15. 1. Order of Council upon the petition of the seven younger children of Henry Ludlow, deceased, of co. Southampton, referred by his Majesty to the Board. That the persons to whom any of the lands lately belonging to the father of petitioners are mortgaged should be required for a time not to deal at all with the eldest son, Edmond Ludlow, for redeeming the same, until further directions be given by the Lords. In the meanwhile the elder

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brother as well as petitioners are to inform themselves not only of the debts owing by their father, but also of the best value of the mortgaged lands, and to try how the same may be sold to the best advantage. For which purpose all the writings concerning these lands are upon oath to be entered on the chancery rolls, to the end they may be perused as well by the parties and their counsel as by intending purchasers. The Lords require that both parties shall attend again upon the 24th inst., and bring with them an accompt of the true state and value of the mortgaged lands, and how the same may be sold, together with a schedule of all the debts charged upon these lands, whereupon the Lords will take into further consideration not only the payment and discharge of the debts so charged, but also the proportioning of fitting portions for all the petitioners. Whereas the second son, Henry, particularly stands engaged by bonds for divers of his father's debts, the elder now agrees that these shall be otherwise satisfied, and Henry be freed from these engagements. [*Draft.* 3 pp.]

Jan. 15.

2. Order of Council upon the petition of John Griffith, Esq., with the certificate of Inigo Jones, his Majesty's surveyor, Laurence Whitaker and Thomas Baldwine, referees, and others appointed to view the annoyances done by Aquila Wykes to the lodgings and private garden of the dean of the collegiate church of St. Peter's, Westminster, being presented to the Board, as also the petition of the sub-dean and prebendaries of the said church, wherein they represent that the walling up of the windows of the third story to the transoms and no higher will not make the room utterly void of all light as suggested by Griffith, but only take away the prospect of Mr. Wickes' prisoners into the dean's garden. They further represent that the remedy prescribed by the referees does not reach home to the inconveniences complained of by petitioners unless the same or such like course be taken with the windows of the second story of the new building, which command the dean's garden as much as those of the third. Opinion of the referees as to the desirability of taking down or repair of the house of office objected to by Mr. Griffith. The Lords ordered that the lights complained of as looking into the dean's garden in the second and third stories of the new building shall be presently walled up to the transoms, reserving to Griffith or Wickes the right to show reason to the contrary, when the Lords, if satisfied, will give order for the reopening of those lights, also to cause the house of office to be sufficiently covered to exclude the rain until further order shall be given by the Lords concerning the same. [*Draft.* 2 pp.]

Jan. 15.

3. Order of Council that the information of George Wilsher, Isabel, his wife, and William Fitzwilliams against Harvie Crow, now prisoner in the White Lion, Southwark, should be sent to the Attorney-General, who is to send for both parties and certify the Board what he finds concerning the same, with his opinion, that the Lords may take further order. [*Draft.* $\frac{1}{2}$ p.]

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Jan. 15. 4. Minute of a warrant to release Robert Relfe from the Gatehouse Prison. [$\frac{1}{2}$ p.]

Jan. 15. The like to David Scott, a messenger, to bring up John Wallenger, of Bedford, gent., before the Lords. [*Written on same paper as the preceding.* $\frac{1}{2}$ p.]

Jan. 15. 5. Order of the Council of War that the Earl of Newport, Master of Whitehall. the Ordnance, be requested to give order for preparing an estimate of the charge for furnishing a sufficient proportion of mills and ovens for an army consisting of 30,000 foot and 3,000 horse, and to cause the same to be presented to this Council of War. [*Minute.* $\frac{1}{2}$ p.]

Jan. 15. 6. The like. The Lords having perused three estimates by the Whitehall. officers of Ordnance for making of several sorts of iron and brass ordnance, and finding an increase of allowance for making the same demanded above that hitherto given by his Majesty, desire the Lord Treasurer and Lord Cottington, upon hearing his Majesty's founder and other officers of the Ordnance, to report to this Council what they conceive fit to be done therein. [*Draft.* 1 p.]

Jan. 15. Warrant to the Exchequer and to George Wilmer, collector of the new imposition of 3*d.* per lb. upon the goods of Merchant Strangers, to pay to Sec. Windebank, out of their receipts for the years 1640 and 1641, 3,000*l.* by him lent to his Majesty, for which tallies have been levied, with interest after the rate of 8*l.* per cent. [*Docquet.*]

Jan. 15. The like and to Sir John Wolstenholme, Sir Thomas Dawes, and Thomas Ferrers, collectors of pretermitted customs, to pay to Archbishop Laud, of Canterbury, out of their receipts for 1640 and 1641, 4,000*l.* by him lent to his Majesty, without interest, for which tallies have been levied. [*Docquet.*]

Jan. 15. The like for payment of 300*l.* to Richard Bernard, of Lincoln's Inn, without accompt, in reward of his services about Sutton Marsh, the 800 fen, ship-money, Londonderry and divers other businesses, according to the certificate of the Attorney and Solicitor General and Sergeant Whitfield [*Docquet.*]

Jan. 15. Grant of a gunner's room in the Tower of London to Thomas Loup, with the fee of 12*d.* per diem during pleasure, *vice* Nathaniel Reeve, deceased. [*Docquet.*]

Jan. 15. Warrant to the Exchequer to pay to Anthony Van Hennell 300*l.* without accompt, for secret service. [*Docquet.*]

Jan. 15. Petition of John Raymond, M.A., clerk, to the King. Petitioner was presented by your Majesty to the vicarage of Burstead Magna, co. Essex and diocese of London, being void by death, and in your Majesty's gift by virtue of the minority of William Lord Petre. The Lady Mary, widow of Robert, late Lord Petre, also lays claim to the presentation by reason of her jointure, yet your Majesty's counsel is of opinion that by the common law your title is clear to the same.

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Prays that as this is merely a question of the common law, and as other things of consequence belonging to your Majesty depend upon the same, that the title may be referred to the hearing of some of the judges, and they to certify you what the law is in this case, that so accordingly petitioner may have the benefit of your presentation.
Underwritten,

1. *Reference as prayed to the Lord Chief Justice Bramston and Baron Henden, who are to certify their opinions and what the law is in this case, whereupon his Majesty will signify his further pleasure. Whitehall, 15th January 1639-40. [Copy. See Book of Petitions, Vol. ccciii., p. 135.= $\frac{2}{3}$ p.]*

Jan. 15.

7. Petition of Mary Baylie, of Shoe Lane, to Archbishop Laud. Complains of breach of promise of marriage on the part of Roger Carlell [Carlisle?], who after four years' engagement had set her aside for another woman, and further cited her into St. Mary-le-Bow church, in Cheapside, to her great charge and trouble, and denies that he ever was engaged to her. Prays the Archbishop to call Roger Carlell before him, and having examined the truth of the premises, to give order for the good of petitioner, being a poor maid, as he shall find cause. *Dorso*, "Reference to Sir John Lambe." [$1\frac{1}{4}$ p.]

Jan. 15.

Whitehall.

8. James Marquis of Hamilton to Sir John Pennington, admiral of the fleet in the Narrow Seas. The bearer having lately had his bark with its lading taken from him by the Dunkirkers, has obtained his Majesty's letter to the Prince Cardinal for restitution, and in regard he is but a poor man, and was under your convoy, as he informs me, I shall entreat you and the captain who conducted him to certify the truth thereof to the Lords of the Admiralty at Dunkirk and Brussels, which with the certificate of the mayor and aldermen of Dover he conceives may be very available in his behalf and avoid further trouble to him. This my letter I could not refuse, seeing he is a townsman of Aberdeen, which has suffered much for its loyalty and obedience to his Majesty's commands. [*Seal broken.* $\frac{3}{4}$ p.]

Jan. 15.

Berwick.

9. Sir Michael Ernle to Sec. Windebank. Upon Friday the 10th inst. I received one company out of Northumberland, on the 14th three companies out of the bishopric of Durham, and this day I expect the other Northumberland company. The men are reasonably good, especially those of Northumberland, but the arms both of the one and the other are extremely out of order, which I will rectify as much and as speedily as possibly I can. I certified you by my last that I understood of ladders, fireworks, and boats preparing in Scotland, and that a great proportion of arms were lately come to Leith, all which is certain, but no men are yet anywhere drawn together. The Lords of the Covenant are all at Edinburgh, and divers of them had a particular meeting at Stirling a little before. I sent a gentleman to Edinburgh on Saturday last to give me notice of what he

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could inform himself of. As soon as I can learn anything worth informing you of I will not fail. I have great difficulty to lodge these men, it goes so much against the stomachs of the townsmen. I have nothing else to certify you at this time. [*Seal with arms. 1 p.*]

Jan. 15.
Berwick.

10. Capt. Charles Lloyd to Sec. Windebank. Three weeks ago I sent you [notification of] the execution of your commands, but receiving no answer I fear my letters have miscarried. The works [at Berwick] I have prosecuted with that diligence my duty binds me to. The curtain is finished, and the mount, I hope, will be done within these 14 days, notwithstanding the time of year. The drawbridge will be up this week at the bridge, and that of the Cow-gate within ten days. I have put a new gate to the Mary-gate, and another is in preparation for the New-gate. The old stone wall towards the water-side I am repairing. I desired your approbation of a small breastwork round the town, to be constructed by the soldiers for their own defence without charge, to hinder any sudden surprise, for the hills about us will make us so open that we shall hardly descend, they being a shelter to the enemy and a discovery of us. I likewise took hold of your favourable proffer at the close of your last letter concerning myself, wherein I desired your consideration that since I came to this town, for either doing the Deputy Governor's duty before he came or as engineer, I have received nothing. I have a patent for a reversion, but it may happen that the reversion may outlive me, all which I leave to your more serious consideration. [*Seal with device. 1 p.*]

Jan 15.

11. Note by Sec. Windebank of money received and paid on account of the Earl of Antrim. Totals received, 4,000*l.*; paid, 200*l.*; so there remains in my hands of interest due to the Earl of Antrim, 15*l.* 8*s.* [$\frac{3}{4}$ *p.*]

Jan. 16.

12. Petition of Samuel Cordewell, the King's gunpowder-maker, to the King. Petitioner has, by your special command and by virtue of a contract with the Commissioners for Saltpetre and Gunpowder, served your Majesty full three years ended October 1639. In which time he has delivered in 680 lasts, being a saving to your Majesty of 3,400*l.*, by having your powder $\frac{1}{2}$ *d.* per lb. cheaper than formerly. The Lord Treasurer having duly paid petitioner he is willing to go forward with this service to the end of his contract, of which there is yet ten years to come, from 1st November last, by which time you will have saved 12,000*l.* more in the price if petitioner be furnished with saltpetre in due time. What other advantages your Majesty has already made by sale of powder will appear by the paper annexed. Prays reference to the Lord Treasurer and any others whom your Majesty shall think fit to report to you their opinions of the reasonableness of his requests relative to this service, and for some further encouragement to be bestowed on him. [*1 p.*] *Underwritten,*

12. 1. *His Majesty's pleasure is that the Lord Treasurer, the Treasurer of the Household, and Sec. Windebank shall hear*

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what petitioner has to say for the furtherance of this service, and likewise what it is that he desires for himself, and certify the same, together with their opinions, to his Majesty, whereupon he will signify his further pleasure. Whitehall, 16th January 1639-[40]. Annexed,

12. II. *Report stating that 680 lasts of gunpowder had been delivered into the Tower in the three years ending in October last, which at 7½d. per lb. comes to 51,000l., besides about 2,500l. for foreign saltpetre, giving a total of 53,500l., which sum and more has been realised by the sale of 300 lasts at 18d. per lb., so that your Majesty has had 380 lasts for nothing. [2/3 p.]*

Jan. 16.

13. Report made to the Council of War in obedience to their warrant of the 6th inst. touching the proper length for ordnance. We are of opinion that there is but one just and best length of all pieces, which ought to be regulated by the calibre or bore of the piece; a condition not observed in this kingdom. The pieces to be now cast must be governed by such lengths as have been formerly prescribed and observed according to the intention of the present service, or by particular direction. Touching the shot, we are of opinion that, first, the quantity of each sort now in store ought to be set down; then, computing the number of serviceable pieces of all sorts, as well in his Majesty's magazines as in the Tower and ships, to allow double of such a round as shall be thought fit for the greatest occasion of sea and land service which may happen upon any expedition or encounter, besides a competent proportion for the supply of as many merchants' ships as are likely at any time to be employed in his Majesty's service. [*Margin.* In the expedition to Cadiz 50 merchant ships were employed with 500 pieces, and 50 Newcastle ships with the like number.] A like competency to be proportioned for the continual supply of his Majesty's castles and forts. Lastly, to have recourse to the proportion established by the Parliament in anno 1624, and Council of State and Council of War, anno 1626. [1 p.]

[Jan. 16.]

14. Report on the proportion of shot and length of ordnance, nearly identical with the preceding, but arranged in different order. [2/3 p.]

Jan. 16.

15. Directions to draw up a grand proportion for the train of artillery. It comprises estimates for brass ordnance, round shot, carriages and wheels; 20,000 men, whereof two-thirds musketeers and the rest pikes, 2,500 horse, whereof one-fourth part cuirassiers and the rest arquebusiers, besides the odd company; 20 regiments of 10 companies, the latter all equal. In every company one ensign, one partisan, two halberts, and two drummers. Proportion of workmen's tools for the engineers, and supply of ammunition required. [3/4 p.]

Jan. 16.
Drury Lane.

16. Robert Read to [Thomas Windebank]. Thanks for his letters, but had hoped this week to have welcomed him back here. I find

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albeit the Spaniards have gotten the name of the most dilatory people, yet other nations practise delay as much. I wish with you that you may at length receive satisfaction which will recompense all inconveniences. We have now in hand some alteration of officers at court. The Lord Keeper [Coventry], having languished near a month in great torment with the stone or an ulcer in his bladder, on Tuesday morning last fell into his last sleep, and amongst many competitors for the place I understand this afternoon that the Lord Chief Justice Finch shall certainly have it, for which he may thank his good mistress, the Queen, who is to be honoured infinitely for her goodness to her servants. Sec. Coke, I believe, is very near retiring home, and Mr. Treasurer [Sir Henry Vane] is cried up to succeed him, which will certainly be, and it was expected that he should have been sworn the last Council day. How we shall be dealt with, or in what condition we stand, I cannot yet learn, but I doubt not it will be shortly declared. Methinks we should not fail of the diet and seniority in secretaryship, though the other will have precedency as being treasurer. Our minds are so much upon these changes that we hear nothing of Mrs. Harrison and her "Brawler," as you call him. I am confident if Lady Fielding could have given her a good account of her boat, the other would quickly have followed. [2 pp.]

Jan 16.
Chester.

17. Robert Brerewood to Sir Thomas Smith at Ashton, near Bristol. I was very glad to receive your letter, by which I understand your willingness to accept of a burgess-ship in our city, wherein I hope, although unworthy, to be your companion, a happiness I much desired and beyond my expectation. But let me truly inform you that several persons of good quality have been suitors for a burgess' place in our city, and have been denied in hope you would accept it, as, namely, first, Mr. Bridgeman, the vice-chamberlain; secondly, Sir Gervase Scrope, who was commended for the same by Sir George Booth, but answer being made that the place was intended for you, [he] was well pleased and rested content with that answer. Let me assure you with what I am assured, that the mayor and all the aldermen and others whom I have as yet spoken with about your acceptance of the place are very glad thereof. We are all, especially my wife, glad of the hope you give us of your speedy return with your good lady. I doubt whether I shall see you at Chester on your return, as I intend setting out for London on Monday next, but the term being but of short continuance will not long prevent me of your company. [*Seal with arms.* $\frac{2}{3}$ p.]

Jan. 16.

18. Bond of John Relfe, of St. George's, Southwark, and his son Robert, in 50*l.* to the King's use, for their good behaviour towards the Archbishop of Canterbury, his gentlemen and servants. [$\frac{3}{4}$ p.]

Jan. 16.

19. Answer and plea of Hercules Stourton, defendant to the bill of complaint of Richard Harvey, plaintiff in this suit, wherein he rebuts the charge of having procured a loan of 40*l.* from Jeremy Harvey for the purpose of renewing his lease in the manor, farm,

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and messuage of Langford, which he held under a grant of Henry Earl of Pembroke and William the late earl. [38 pp.]

Jan. 16.

Indenture between Richard Catesby, of Drury Lane, on the one part, and Sir Nathaniel Brent, William Eure of Malton, Spencer Lucy, son and heir apparent to Sir Thomas Lucy, of Charlcoate, and Richard Wilbraham on the other part, relative to the settlement of certain property upon Eleanor, wife of Richard, son of the above-named Richard Catesby, for her own use during her life, viz., the fourth part of the parsonage, rectory, and church of Smutterfield, [Snitterfield?], in the county of Warwick, with the tithes, lands, tenements, and hereditaments herein mentioned. This indenture witnesseth that the said Richard Catesby has demised, and to farm let for term of 60 years to Sir Nathaniel Brent and the others named above [in trust for the said Eleanor], all that the fourth part and all his parts of the said parsonage with its appurtenances lately appertaining to the Priory of the Holy Sepulchre at Warwick, now dissolved; also the fourth part of all his part of all houses, edifices, barns, gardens, lands, tithes, &c., growing and coming within the townfields, parish, and lordship of Smutterfield aforesaid. All which said premises the said Richard Catesby lately purchased from Ambrose Shelden, late of the borough of Warwick, by indenture dated 30th October 1620. Conditioned that Sir Nathaniel Brent and the others named above shall pay yearly to Richard Catesby and his heirs one peppercorn at Michaelmas, if the same be lawfully demanded, nevertheless in trust and confidence that Sir Nathaniel and the others shall permit the said Eleanor to receive and dispose of all rents, issues, and profits during her life, and in the event of her death before her son William shall come of age, the rents and profits to be paid to such person as the said Eleanor shall have nominated, until William shall attain the age of 21 years, when the present lease, and every covenant and trust therein contained, shall determine and be utterly void. [See Case E., No. 16. *Half skin of parchment.*]

Jan. 17.

Warrant to the Master and Receiver of the Court of Wards to pay to Francis Lord Willoughby, Francis Fynes, and Sir Christopher Wray, 16,789*l.* without accompt, in satisfaction of the purchase of the manor or lordship of Wimbledon, co. Surrey, and of the mansion house, park, and other lands there according to a contract made by the Lord Treasurer, the Earl of Holland, and others in that behalf, at the desire of the Queen. [Docquet.]

Jan. 17.

Whitehall.

20. [Sec. Windebank] to Sir William Bellasis and Sir John Marley. His Majesty understanding that there is now in the town of Newcastle-upon-Tyne one Sir John Bohannan [Buchannan], a Scottish Covenanter, and that Mr. Middleton, of Belsay, and others of the town [of Newcastle] hold intelligence with him, and have been known to accompany him in walking about the town walls, and to meet him privately at their lodgings, which proceedings his Majesty has reason to suspect may be of dangerous consequence to

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his service in these turbulent times, he has therefore commanded me to signify his pleasure to you, that you forthwith cause Sir John Bohannon to be apprehended, and having taken his examination to return it to me with all diligence. Meantime you are to commit Sir John to safe custody as close prisoner, till you shall understand his Majesty's further pleasure, as also Middleton and all others who have held correspondence with him, and likewise send their examinations to me. His Majesty having a good opinion of your integrities and good affections to his service, has made choice of you for this employment, and doubts not but you will acquit yourselves thereof with all care and diligence. P.S.—If Sir John Bohannon shall be gone before these come to your hands you are to keep these directions private till you receive further order. [*Draft.* 1 p.]

Jan. 17. 21. Petition of Sergeant-major Horatio Carey, Captains Francis Storey and Thomas Middleton, and Lieutenants Thomas Woddall, William Willmor, Gerald Owen, Nicholas Hewysh, and Edward Brett to the King. Petitioners having served in the King of Sweden's wars for eight years together, were, upon occasion of the late expedition to the North, directed by the English ambassador at Hamburgh to repair hither for your Majesty's service. They have ever since remained here [in England] without employment, and having spent all their own means, are now, without your Majesty's favour, unable to subsist. Pray means of support until your further pleasure be to command them. *Underwritten*, "Reference to the Council of War. Whitehall, 17th January 1639-[40]."

Jan. 17. 22. Petition of Colonel Maurice MacSunny, [McSwiney] of Ireland, to the King. Petitioner has for 25 years past followed the wars in Flanders and Germany with sundry honourable charges and preferments. Before the declaration of war between France and Spain, being by the French King honoured with a regiment of foot, he came, three years since, twice to your Majesty with letters from the French King asking license to levy and transport soldiers out of Ireland, but this being denied, he returned into France, and being called by the late Duke of Savoy, he has remained since in Italy, where understanding that your Majesty had occasion to use men experienced in arms, he came expressly hither to offer and present his service to your Majesty, proposing to spend the rest of his life in your service. If your Majesty should have no occasion to employ him, he prays consideration of the charges he has been at in coming hither, that so he may seek his fortune, with your leave, somewhere else. *Underwritten*, "Reference to the Council of war. Whitehall, 17th January 1639-[40]." *Endorsed by Nicholas*, "The Lords have no employment for this petitioner."

Jan. 17. 23. Petition of Lieutenant Thomas Davison to the same. That the Marquis Hamilton having directed him to the north in your Majesty's service petitioner was shot in the right leg, had his hand mutilated, his means taken from him, and suffered much pain and

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misery in his cure at Aberdeen, where he was forced to stay till this time. During the time of his employment he received only two months' pay. Prays that he may have the like allowance that other officers have had under similar circumstances, and may have a competent maintenance during his life in regard he received his wounds in your Majesty's service. *Underwritten*, "Reference to the Council of War." Whitehall, 17th January 1639-[40]. *Endorsed*, "Certificate that petitioner received the injuries stated in the above petition whilst serving in the north of Scotland." [1 p.]

Jan. 17.

24. This day at a meeting of the Council, Sir John Finch, late Lord Chief Justice of the Common Pleas, had the Great Seal delivered to him by his Majesty at the Board, and having taken the oaths of a Privy Councillor and Lord Keeper, his Lordship sat at the Board, sealed a writ and signed. [*Draft minute.* 1 p.]

[Jan. 17.]

25. Petition of the master, wardens, and commonalty of the Company of Feltnakers of London to the Council. This company was incorporated by letters patent, 2 James I., with power to view and search the art or mystery of all those who practised the making of felts within the city of London and four miles compass, and for their better encouragement to rectify abuses in the trade, the officers of the company received from the Council Board warrants for punishing delinquents. On the 16th May last, petitioners repaired to the house of Peter Robinson, a feltmaker, in the parish of St. Mary Magdalen, Southwark, to make search therein, but found his doors shut against them, whereupon they summoned him to appear before them, but he contemptuously refused. For this contempt of authority he was then by virtue of a Council warrant carried by a messenger before Sir Edward Bromfield, a justice of peace, who, failing to induce him to conform, has left him to be regulated by the Lords. Petitioners suffer much by the obstinacy and contemptuous carriage of Robinson, who being a feltmaker by profession, and a freeman of the Company of Haberdashers, a rich and powerful company, thinks thereby to abuse his Majesty's letters patent and petitioners to their great prejudice. Pray the Lords to order that Robinson and all others, being near 2,000 in number, who use the art of feltmakers and are free of other companies in London, may be enjoined to submit themselves to and be regulated by the said letters patent and the orders and ordinances made for the government of petitioners, so far as relates to their dealings in the trade of felt-making. [$\frac{2}{3}$ p.]

Jan. 17.

26. Order of Council on the above petition of the Company of Feltnakers of London. Petitioners having obtained a warrant from the Board for Robinson to answer his misdemeanour, he made his acknowledgment and agreement in August last, before Sir William Becher, clerk of the Council, and then submitted to make a proof piece before petitioners, and to be conformable to their government in all things, which he has not performed, but continues in his contempt, to the ill example of others, and petitioners' great

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prejudice. Ordered that he be required to conform himself to the said company according to his previous agreement within three days after sight hereof, or else to stand committed to the Fleet Prison, there to remain until further directions from this Board; and hereof the Warden of the Fleet is to take notice and to see the same performed. [*Draft. 1 p.*]

Jan. 17.
Exeter.

27. Bishop Hall, of Exeter, and Sir Nicholas Martyn, Sheriff of Devon, to the Council. According to the Lords' reference concerning the settling of a rate [for ship-money] between the hundred of Roborough and tything of Tavyton, in the parish of Tavistock, co. Devon, we have made inquiry, and find that the tything in some cases, as for reparation of bridges, has paid with the hundred, but in the usual and common payments for the county it has paid with the parish of Tavistock. Your instructions for the assessment of ship-money direct that the assessments are to be made according to the most usual mode, and that the county be divided for this purpose into hundreds and lathes, and so into parishes. We refer it to your determination whether the hundred of Roborough shall not still bear its whole charge, as in the two last assessments, and this tything stand charged with the parish of Tavistock. If you shall approve of this settlement of the charge, [we suggest] that for the better despatch of this service you would order the same accordingly. [*Seal with arms. 1 p.*]

Jan. 17.
Drury Lane.

28. [Sec. Windebank] to Archbishop Neile, of York. I acquainted his Majesty with your letter of the 11th inst., and with its enclosure [see Vol. ccccxli., No. 97 I.] from the vicar of Newcastle, with both of which he was well pleased, and has commanded me to thank you for them and for your continual care of his service upon all occasions. For the business itself his Majesty has commanded me to send for the mayor of Newcastle hither, which I have now done, and to direct letters [see this Vol., No. 20] to Sir John Marley, an alderman of that town, and to Sir William Bellasis to cause Sir John Bohannan [Buchannan] to be apprehended and examined if he remain still there, and to return the examinations hither as soon as may be. Mr. Middleton, of Belsay, is likewise to be examined, and if there shall be cause committed to safe custody. The vicar of Newcastle in his letter to you mentions former letters of his to the Archbishop of Canterbury, which he fears may have miscarried. These came safe and were communicated to his Majesty, who being made acquainted with the business and with that cunning election made by the mayor and some of the Common Council, picked out for that purpose, of a peevish lecturer there, has commanded me to write to the Bishop of Durham to call them to accompt for it, and so to order the business that if Mr. Alvery [Alvey], the vicar, will take upon him the lecture, he shall be preferred before any other. I enclose a duplicate of my letter to the Bishop of Durham [see next entry], wherein you will perceive I have not represented the business as if the information had come from Mr. Alvery, and therefore I

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pray you not to take notice of it when you write to the bishop as if the vicar had set it on foot. His Majesty's pleasure is that you shall call upon the bishop if you find by Mr. Alvery any delay or coldness in him, and quicken him until this business be actually settled according to the King's direction in my letter. You may likewise send a duplicate of my letter to the bishop to Mr. Alvery, and let him know the care and estimation the King and Archbishop Laud have of him. Be pleased to give me notice of the Bishop of Durham's carriage in this business and the success of it. I have likewise received your letter of the 10th inst., and his Majesty is very well satisfied with the accompt you have given of Dr. Jennison, and glad that he is meditating upon his departure from those parts. As for Lapthorne his Majesty has commanded by my hand the Bishop of Durham to silence him, which the latter has since assured me is done. Your account of your province in the end of the letter I have likewise represented to the King, who graciously accepts your care of the church and of his service. [*Draft. 2 pp.*]

Jan. 17.
Drury Lane.

29. [Sec. Windebank] to Bishop Morton, of Durham. His Majesty has been informed that Mr. Stephenson, late lecturer at Newcastle, having left that place upon distaste given him by some fiery zealots there, the mayor, with the consent of some aldermen, picked out a Common Council for the purpose, and presently proceeded to the election of a new lecturer. What those popular elections are, especially this, thus cunningly plotted and contrived, his Majesty doubts not but you in your judgment well understand, and therefore in his care for the good and peace of that important place, now in these times of faction and disorder, has commanded me to signify his pleasure to you, that, immediately upon the receipt hereof, you send to the town of Newcastle and inform yourself whether they have made such an election, and in this manner, and whether the party chosen be a person well affected and conformable to the government of the Church of England, or whether he has been preferred for private ends, or relation[ship] to the mayor or any other of the magistrates there. You are to call them to a strict accompt why they proceeded to such an election without acquainting you with it and desiring your opinion or approbation of the party designed for that charge, which respect and duty they owe to you as their diocesan, and likewise whether they had the consent of Mr. Alvery [Alvey], the vicar there, or whether they made offer to him to undertake it, both which, or either of them, if they have neglected, they deserve to be reprehended and censured by you. It being his Majesty's pleasure not only in this particular, but in all cases of like nature, that the incumbent, being able and without exception, shall undertake the lecture if he please before any other, and that none shall be admitted without his liking and consent, you are therefore to call him to you, and inquire how this business has been carried, and if you find him willing to undergo the service upon the like conditions that the other has accepted it, you are then to order him to be settled in that place of lecturer, and the other lately chosen to desist and forbear

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exercising it. I acquainted his Majesty with your letters of the 9th December [*Margin*, I think the date should have been 9th January, seeing these letters are in answer of mine of the 31st December, see *Vol. ccccli.*, No. 79], who is very well pleased with the accompt which you have given touching the 300 foot levied lately within your jurisdiction and sent to Berwick, and required me to thank you in his name for your diligence in that service. P.S.—His Majesty will expect a speedy account of this business of the lecturer at Newcastle, and has commanded me to require you to give me notice as soon as you may of your proceeding herein. [*Draft.* 2 pp.]

Jan. 17.
Whitehall.

30. [Sec. Windebank] to the Mayor of Newcastle-upon-Tyne. His Majesty's pleasure is that all delays and excuses set apart, you forthwith upon receipt hereof make your repair hither, and render yourself to me, from whom you shall understand his Majesty's further pleasure. You are to leave the charge of the mayoralty with the senior alderman of that town to be executed by him during your absence. [*Draft.* $\frac{1}{2}$ p.]

Jan. 17.
Covent Garden.

31. Thomas Earl of Strafford to the boroughmaster and boroughmen of Boroughbridge, co. York. I am entreated by a friend of mine, Mr. Robert Read, out of his desire to serve his Majesty and the public in this ensuing parliament, to afford him my recommendation to some borough town for a burgess' place, which if I did not both know the gentleman to be very well deserving of in himself, and likewise believed you no less willing to afford me that respect, I should not thus, as I hereby very heartily do, recommend him to your choice in that behalf, whereby you shall not only bind him, who has otherwise also great opportunities to do you each in particular good service, but me also to acknowledge myself for this courtesy your very loving friend. [*Duplicate.* $\frac{2}{3}$ p.]

Jan. 17.
Carlisle.

32. Sir William Pennington, Sheriff of Cumberland, to Thomas Earl of Arundel and Surrey, Earl Marshal, and Henry Frederick Lord Maltravers. By yours of the 6th inst. you signify his Majesty's pleasure for the removal of prisoners out of the castle and out of the citadel of Carlisle. In the former there are none, nor have been this long time, but the gaol has been settled in the citadel these many years; neither is there yet any place of strength fit or safe to receive prisoners; so that although in obedience to your commands I shall most humbly submit in that particular or any other, yet I entreat you to move his Majesty for some respite until a convenient place may be provided for that purpose, which the justices of peace for this county are about, to whom I have imparted your letters in that behalf. I have at this present many prisoners in gaol, some upon executions for great sums, and others for murder and other great offences, so that I hope you will take into consideration the dangers that may ensue upon a sudden removal before a convenient place be provided. [1 p.]

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Jan. 17. 33. Thomas Smith [to Sir John Pennington]. I thank you for Queen Street. the wine promised in your letter of the 13th inst., but would not have it sent away before my Lord's. I enclose a petition from an old officer in the Tower, Robert Bevis, who served Queen [Elizabeth]. I have another suit wherewith I am extremely loath to trouble you, but I am constrained thereunto to vindicate my credit from some aspersions which that unmannerly fellow Capt. Burley has put upon me, merely in malice to do me as much mischief as his foul mouth could, although I was the making of his fortunes, and the means of his introduction into the service. The business is this: my Lord [of Northumberland?] lately gave the gunner's place of Bays-sconce to Richard Tailor at my earnest suit, and he in thankfulness gave me 40*l.* of his own motion, and would have given me more, which I refused. Although Capt. Burley had nothing to do in this business, yet like a foolish busybody he has divulged it all over Chatham, and particularly to Capts. Carteret and Battin, who both taunted me that I would not do the business unless I might have 80*l.* from the man, but, seeing I could not get that, was forced to accept 40*l.*, which how false that is the fellow himself can testify, and I know he will upon his oath. I affirm that it never was my practice since I came into the office to bargain with any man, neither did I in this particular. If it can be proved that ever I made bargain with any man in that kind I'll be bound to give treble the money back, and if Capt. Burley has a mind to rake the dunghill of my life and can convince me I'll be bound to give him 100*l.* for each such bargain; but what men voluntarily give me, my conscience assures me I may take as mere gratuities, and upon my soul I have given back sometimes 40*l.*, sometimes 30, 20, or 10, more or less, as I have seen men over bountiful, and therefore, if I were so greedy of money, sure I would not have so madly refused gold which I might have kept; so that I dare appeal to the judgment not only of honest and worthy men, but even of such as labour to cast dirt in the faces of their benefactors. I beseech you to read every word of this to that unworthy man, and so reprehend him that my innocence may be vindicated. I am sorry to trouble you with this scurvy business, and do beg your pardon, desiring that you will treat with him privately, and when you have read that part of it to him burn this letter. For news, Lord Keeper [Coventry] is dead, and Chief Justice Finch has succeeded to his place, on what terms my next shall tell you. My Lord of Northumberland is made President of the Council of War. The Lord Deputy, who is now Lord Lieutenant of Ireland, Baron of Raby, Viscount Wentworth, and Earl of Strafford will shortly depart for Ireland. Sec. Coke is going off, and Sir Henry Vane shall be Secretary of State in his room. I believe you will not come in so soon as you expect, but stay out one month longer, for the fleet will come late this year, perhaps not before May. [4 pp.]

Jan. 18. Grant of the office of one of the four messengers of the Receipt of Exchequer to Henry Davison during life, in reversion after Isaac Bush, Robert and Thomas Benbow, and Robert Johnson, the present

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officers, and Richard Amy and William Cox, who have grants in reversion. [*Docquet.*]

Jan. 18.

Warrant to Sir John Finch, now Lord Keeper, to pass under the Great Seal all such grants, warrants, pardons, licenses, &c. as were directed to the late Lord Keeper, without any alteration or other dates according to his discretion. Likewise to affirm and subscribe all such injunctions, decrees, and dismissions, according to the orders entered in the Registrar's office, without further hearing, and to pass such as he shall allow and subscribe under the Great Seal. [*Docquet.*]

Jan. 18.

A like to the Lord Treasurer and Chancellor of the Exchequer to pay to Edward Greene, chief graver of the Mint, the usual sum for making a Great Seal according to an embossment presented to his Majesty in the second year of his reign. [*Docquet.*]

Jan. 18.

A like to the Sheriffs of London and Middlesex, and to the gaoler of Newgate, to deliver the bodies of Hester Lamear and Alice Hayward, prisoners, convicted in the prison of Newgate, to Capt. Christopher Burgh, to be transported to St. Christopher's Island within ten days after they shall be delivered to him. [*Docquet.*]

Jan. 18.

Whitehall.

34. Notes by Nicholas of the proceedings this day at the Council of War. The Earl of Strafford, Lord Lieutenant of Ireland, declared to the Lords that he could not pay the garrison of Carlisle, consisting of 500 men in five companies, longer than to March 1st, after which they are to be paid out of his Majesty's ordinary revenue. There are at Carlisle a governor, Sir Francis Willoughby, who has 1*l.* per diem, and is a colonel, also a lieutenant-colonel and a sergeant-major. The charge of this garrison from March 1st to June 30th is to be cast up and added to the other charges. The master and officers of the Ordnance are to treat with Stone and other sword-makers, and to know of them in what time they will undertake to deliver into his Majesty's stores 22,503 swords, furnished, and at what rates. [*Draft.* 1 p.]

Jan. 18.

Note of the discharge of Richard Woulfe [*Woolf*], of Stamford, sent for by warrant of the Lords Commissioners of Saltpetre upon promise to alter his dovehouse, and to attend the referees appointed to examine the complaint against him by Mr. Pinkney, the saltpetremen. [*See Vol. ccxcii., p. 113.* $\frac{1}{4}$ p.]

Jan. 18.

Exeter Palace.

35. Bishop Hall, of Exeter, to Archbishop Laud. I humbly thank you for those hours and pains you have bestowed both upon my papers and me, and yet more for that noble freedom you have, according to my earnest request, used in making known your judgment in those few animadversions which I have now received, and the gracious respect showed to me that, after so full power put into your hands to dispose of those papers, you have been pleased to take my unworthiness along with you in the alteration of any passages [in the Book for Episcopacy], wherein I hope that I have

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satisfied your expectation accordingly. As for my favourableness to foreign authors and churches, I foretold you that I held it best not to be sparing of good words, though in reality of the tenet I have gone further than most others. Those authors whom I mention with so fair respect are, in those things for which I cite them, our friends, but if you find any phrase too high or unseasonable, it is but a dash of your chaplain's pen, to whom I beseech you to give absolute freedom in this behalf. For that of the Sabbatarians I have put a drop or two of vinegar more into my ink in two several places. For that passage concerning Antichrist I have turned it upon themselves, without a declaration of my own judgment; however, I find our learned pattern Bishop Andrews more than once punctual this way. For that point of the degree or order of Episcopacy, although I well know the weight of it, yet I did purposely intend to waive it here, because both it fetches a great and learned part of the school upon us, and because I found it to be out of my way, since these factionists with whom we deal deny both a several order and a several degree, allowing only a priority of order in the same degree, but our tenet is doubtless most defensible, and I have accordingly so stated it in this review, which together with all my best services I recommend to your acceptation, vowing my hearty prayers for your happy proceedings as duly merited. P.S.—I have returned your letter according to your desire. I have been bold at the suit of one of my worthy clergy, Mr. Bury, to recommend a pious petition of his to you; the least touch of answer in your letter will abundantly satisfy him. Two renegades have in two several parts of my diocese been received into the Church under that solemn form of penance which your Grace was pleased to appoint. [*Seal with arms. 2 pp.*]

Jan. 18.

36. Sir John Lambe to Archbishop Laud. Touching the delegates you commanded me to remind you so soon as a Lord Keeper was appointed. I heard yesterday that Sir John Finch was chosen. May it please your Grace to be a means that, as our professions be several, so the causes of each profession may be heard and judged by those who have knowledge and have been bred up in that profession. We meddle not in common law causes, and they have little or no skill in ours, yet they have been not only our judges, but always of the quorum, and never any of us. So we could do nothing without them, but they what they pleased without us. This made us so often attend at Sergeant's Inn, both judges, advocates, proctors, and parties, to have causes heard and judged, even in points concerning errors and nullities of proceeding in the formality of our law, by those who had no skill in those points unless from us, as if we should judge of their errors in joining up their issues, demurrers, mispleaders, jeofails, &c. To attend at Sergeant's Inn was to the great trouble and extreme charge of the subject, in carrying down the proctors, advocates, registrars, and judges thither, and by little and little will ruin our profession, and deduce and turn all ecclesiastical judicature into the common law, and consequently all ecclesiastical jurisdiction,

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for no proceeding can be by any ordinary, but the subject may appeal, and it must terminate there if the wilful party please. Your Grace's favour we implore herein. *Endorsed by Laud*, "Concerning judges at the common law, and their not being of the quorum in delegacies, but upon great occasions and such as may relate to the common law." [*Seal with arms.* $\frac{3}{4}$ p.]

Jan. 18. 37. Copy of the same. [$1\frac{1}{2}$ p.]

Jan. 18. 38. [Sec. Windebank] to Bishop Goodman, of Gloucester. His Majesty understanding that you have sometimes remained in the house belonging to your prebend at Windsor since his princely commands given to all the bishops for keeping residence upon their bishoprics, has commanded me to signify his pleasure to you, that from henceforth you reside only upon your bishopric and remain at Windsor, but as you take it in your way to and from London, or when some special occasion shall call you thither. His Majesty expects that his former commands given to you amongst the rest of your brethren the bishops, for residing upon your bishopric and not upon any of your commendams, be hereafter punctually obeyed, which is all I have at present in charge from his Majesty. [*Draft.* $\frac{2}{3}$ p.]

Jan. $\frac{18}{28}$.
Paris.

39. Robert Earl of Leicester to [Sir Thomas Roe]. I will not pretend to vie with you in writing or in number of letters, when I confess one line of yours is worth a whole sheet of mine. I desired M. Augier to make my excuse the last week, knowing that he very seldom fails in giving you account of our affairs. I appointed him to give you notice of a proposition made for the enlargement of the Prince Elector Palatine [Charles Lewis] so far as to come to Paris and this court if he please, so as he would promise, and the King by me for him, that his Highness will not away from hence without this [the French] King's permission. This came first from M. Chavigny to Grotius and Mr. Osterwick, ambassador of Venice, and was so proposed to me first to have a verbal promise only, and some assurance that the Prince Elector, when he would have passed unknown through France, had no designs prejudicial to this state; afterwards an Act to that effect was demanded to be signed by his Highness, and the like by me in his Majesty's name, but I refused the first, which was only verbal, and much rather the second, which was to be set down in writing, for I had no order to do the one or the other, neither do I think I ever shall have; it were not honourable. Nevertheless I have given advice thereof into England, and must do, you know, as I shall be commanded. The papers which you did me the favour to send with your last letter of $\frac{17}{27}$ December I had seen before, but that must not hinder my giving you thanks for that communication. The secret article is worth nought in my opinion, and certainly will much lessen the reputation of Duke Bernard, as well in point of integrity and probity as of gratitude to his first benefactors, but he met with those here who could teach him how considerable private interest is, and how vain *bonne estime*

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is unless *utile* be joined to it. I confess I suspected him as little for that as any man that I knew not more inwardly than I knew him; therefore he deceived me, as I believe they who instructed him will do to others if they can, that is if they have opportunity, for the skill is little to break one's faith, and the will very little to be commended that finds a way of betraying trust. I esteem a cutpurse for as able a man as he that promises and breaks his faith. M. de Bellievre is, I think, by this time upon the way hither with his family, not to return any more, as I hear. The next who comes after him, though I know not who it shall be, I say ten to one will be a worse in his affections to our King and state. While I stay here you shall be still advertised of all that is important. [*Partly in cipher. 2 pp.*]

Jan. 18. 40. Certificate from the Treasurers of the Navy to Nicholas, clerk of the Council. That there is but 200*l.* paid for ship-money this week, and that by Sir Anthony Irby, late sheriff of co. Lincoln, upon the writs issued in 1637. [$\frac{1}{3}$ p.]

Jan. 18. 41. Certificate of John Langley, Mayor of Colchester, that the price of rye in the market is 22*d.* per bushel. [*Seal impressed. ½ p.*]

Jan. 18. 42. Edward Nicholas to Mrs. ——. I have considered what you yesterday gave me in hand. I have prepared a petition accordingly. I conceive it very necessary that there be expedition used in the despatch of the business, but I would first debate it a little better with you, whose judgment you know is my oracle of direction. I would gladly wait on you this afternoon after 2 o'clock, if I knew when and where, that I might resolve and perfect what I had but rawly digested. I forbear to send any more messages to you, for fear of mistaking, but I am sure when you shall rightly understand me you will find that of a truth I am your faithful friend. [*Draft. ½ p.*]

[Jan. 18.] Edward Nicholas to the same. My Lord Admiral came not to Court this morning, so as I cannot before to-morrow in the afternoon or Thursday possibly procure the reference on the petition despatched. I think it might be for the advantage of this business if in the meantime Mr. Lenthall saw the draft of the reference I have prepared, for he may perhaps add or alter a word that may much improve it, and however you are pleased to flatter me, I do not rely on my own judgment in a matter so much importing one that I greatly honour, and the more confidence I find anyone has in me, the more solicitous I am to answer the trust reposed in me. This afternoon I and my wife are to go to London, and propose to wait on Lady Gargrave and your ladyship as I return home, if either of you will be at your lodging, for my wife will not see the mask because she has no jewels, and she durst not presume to borrow any that are not well strung. I will bring with me a copy of the reference. [*Draft. Written on the same paper as the preceding. ½ p.*]

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Jan. 19.

43. Order of Council upon the petition of Leonard Dare, representing that Capt. Tucker had received money of recruits levied by the Deputy Lieutenants of co. Southampton in order to procure their discharge. This complaint was referred by the Lords' order of November 8 to Sir Richard Norton, Sir John Oglander, and Sir Henry Mildmay, to examine and certify the truth, but it being determined that this was a business more proper to be examined by the Lord Lieutenants of that county as being a matter specially belonging to their place, it was this day ordered, his Majesty present in Council, that the former reference should be revoked, and the complaint be referred to the Lord Lieutenants to investigate and certify, so that further course may be taken with the delinquent as shall be fit. The Lords also require Mr. Dare, the petitioner, to attend and give evidence for the discovery of the abuses mentioned, and to deliver over such examinations as are already taken. [*Draft. 2 pp.*]

Jan. 19.

44. Council warrant to Henry Keyme, messenger of the chamber, to bring up Hugh Williams, now or late High Constable of the hundred of Slaughter, co. Gloucester. [*Minute. ½ p.*]

Jan. 19.

Pass for Henry Deane, M.A., and Fellow of Clare Hall, Cambridge, to go into the Low Countries to be a preacher to one of the English regiments in service under the States of the United Provinces. [*Written on the same paper as the preceding. Minute. ½ p.*]

Jan. 19.

45. Note of the discharge [out of the messenger's custody] of Thomas Estgate, of Basingstoke, Hants, upon his conformity in the tobacco business. [*3 lines.*]

Jan. 19.
Whitehall.

Commissioners for Saltpetre and Gunpowder to Sir Guy Palmes and Mr. Robinson. Upon receipt of your certificate and consideration of the offences of Richard Woolfe, late alderman of Stamford, we sent for him by a messenger. Upon his affidavit that when he was appointed to attend you he was also sent for by a messenger to attend the Lord Chamberlain, and offering to make his dovehouse according to the proclamation or to destroy it, we released him with order to attend you to be examined according to the complaint of Mr. Pinkney, the saltpetremen. We return Pinkney's petition to you, praying you to send for him and Woolfe, and to certify us what you find to be the truth touching this complaint. [*Copy. See Vol. ccxcii., p. 113.*]

Jan. 19.
Chester.

46. Sir Richard Cholmondeley to Sir Thomas Smith. I pray remember me to your brother-in-law, Mr. Smith, and tell him I envy him for depriving us of your good Christmas jests. We are all in great hope now very shortly to see you and your worthy lady in Cheshire. P.S.—I am much beholding to your servant who sent word concerning the knights of the shire; he knew your mind was all your tenants should go with me, which I am much beholding to you for. Sir Richard Wilbram [Sir Roger Wilbraham?] is very sick. [*Seal with arms. 1 p.*]

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Jan. 19. 47. Receipt of Tobie Johnson and John Faring for 5*l.* 6*s.* 8*d.* received of Sir John Borough, Garter, for the creation fees of the Earl of Strafford and Baron of Raby, whereof 3*l.* 6*s.* 8*d.* is for the Earl's fee, and 2*l.* for the Baron's fee. [1 *p.*]

Jan. 20.
Whitehall.

48. Warrant to the Clerk of the Signet to prepare a Privy Seal directed to Sir William Uvedale, Treasurer at Wars, authorising him to receive and pay such sums as he shall be directed by the Council of War. [*Draft.* $\frac{3}{4}$ *p.*]

Jan. 20.

49. Note of appearance of Joseph Whitchurch and R. Combes, late constables of the hundred of Frome, Somerset, but are to remain in the messenger's custody until discharged by the Lords. [$\frac{1}{4}$ *p.*]

Jan. 20.

50. Sir Jacob Asteley's propositions concerning the intended expedition to the north. We recommend the corn to be ground at Newcastle, there not being sufficient mills in Berwick, and the meal stored at the latter place. Ovens to be made at Berwick and Carlisle to bake bread, carriages to be provided for transport of it to the army, and care taken for its distribution to the companies. The best way to keep the soldiers in health will be to provide small tents portable by men or single horses. *Endorsed by Nicholas*, "To be further considered." [1 *p.*]

Jan. 20.

51. Certificate from the officers of Ordnance what quantity of powder is to be supplied to the army. Proportions for brass ordnance and drakes. [1 *p.*]

Jan. 20.
Whitehall.

Notes by Nicholas of the proceedings this day at the Council of War. Warrant to be sent from the Board to the Master of the Ordnance, to cause an estimate to be made of so much timber, expressed in a certificate of Anthony Fereby, purveyor for the office of the Ordnance, as shall be thought fit to be felled and brought into his Majesty's stores for use. Leonard Pinkney to be sent for to give account at the next meeting of the Board of the expenditure of 600*l.* impressed to him for making ovens at Berwick. Sir Jacob Asteley and Capt. William Legg are to cause a small portable tent to be made, that the Lords may see how fit it may be for the use of the army if need require. [*Written on the same paper as January 18, No. 34.* 1 *p.*]

Jan. 20.

52. Sec. Windebank to Capt. Charles Lloyd. I would have answered your letters sooner, only I had first to acquaint his Majesty and the Lords with them. His Majesty likes well that which you have proposed in yours of the 25th December [*see Vol. cccxxxvi., No. 30*], but the suggestion about the construction of a small breast-work he wishes you to consider with Sir Michael Ernley, and to return your joint certificate whether it should be done by a parapet or counterscarp, and how it is to be effected without the King's charge. In reply to your complaint that you had not received any money but as a captain since your being at Berwick, his Majesty

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and the Lords have commanded me to tell you that an engineer's place has fallen to you by Paparill's death, which may give you satisfaction for the present until some other occasion may be presented for your further benefit, which, according to your services, you may be confident his Majesty will lay hold on for you. Your account which you have given in your letter of the 1st inst. [see *Vol. ccccxi.*, No. 3], concerning Hexham and the rest, his Majesty likes well, and commands you to advise with Sir Michael Ernley how to put these 150 musketeers into the two towers which you say are defensible there already on the south side, and to certify your joint opinions thereof. For Wark Castle his Majesty and the Lords allow your opinion, and therefore you are to do nothing there. Norham Castle is to be made defensible as you propose, and his Majesty will have you advise with Sir Michael Ernley for the putting in of 40 or 50 men there, as you have thought fit. His Majesty thanks you for your advice in this letter concerning the sending of horse to Berwick, as well as foot, for the safeguard of that town, and has commanded me to let you know there is order taken for it already. Your third letter of the 8th inst. refers to that of the 25th ult., which being already answered I shall not trouble you further. [*Draft. 2 pp.*]

Jan. 20. 53. Petition of Mary Thomas to Archbishop Laud. In October 1637 it was ordered in the High Commission that Thomas Payne, printer, should pay petitioner 14*l.* per annum so long as he should continue to print, which was confirmed by your instructions to Sir John Lambe in January following, to discharge Payne from printing unless he complied, yet Payne prints still, but refuses to pay. Similar orders were made upon petitioner's complaints in February 1637-8 and July 1639, when Sir John was directed to see justice done, but he keeps all the petitions and references. Jones the printer sues petitioner's husband in Chancery to deliver in the bond which he has upon him for the payment of the 14*l.* Petitioner and her husband being aged and poor are likely thereby to be utterly undone. Prays the Archbishop to give express order that Payne shall pay the 14*l.* per annum with arrearages, or else to license another fit person to print. *Reference to Sir John Lambe*, I desire you to peruse this petition and make some final end in the business or give me an account. W. CANT. Jan. 20, 1639[-40. $\frac{3}{4}$ p.]

Jan. 20. 54. Attorney General Bankes to the Clerk of the Council. To send copies of such orders as have been made by the Lords touching Butchers and Graziers since the first year of the present reign. [$\frac{1}{2}$ p.]

Jan. 20. 55. Estimate of the charge for powder and munition for the
Office of
Ordnance. furnishing of 20 of his Majesty's ships and pinnaces, viz., the James, St. George, Swiftsure, Charles, Rainbow, Convertive, Expedition, First Lion's Whelp, Second Whelp, Third Whelp, Garland, Leopard, Happy-Entrance, Antelope, Mary Rose, Providence, Eighth Whelp, Greyhound, Roebuck, and Nicodemus, appointed to the seas in his Majesty's service, by warrant from the Lord High Admiral

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dated 10th January, and by warrant from the Earl of Newport, Master General of the Ordnance, dated 14th January 1639-40. Totals out of the stores, 2,850*l.*; gunpowder, 12,330*l.*; emptions, 5,040*l.*; making in all, 20,220*l.* [1 *p.*]

Jan. 20.

56. Certificate of the Armourers of the city of London, in what time they can make 400 cuirassiers' arms and 817 harquebusiers', besides the proportion of arms for foot, being 700 a month, which is as great a proportion as they can undertake, not making any horse arms at all. Also they certify that they can make 35 cuirassiers' and 210 harquebusiers' arms per month, but no foot; or monthly of either sort, 70 cuirassiers', 500 harquebusiers', and 700 foot arms, if order be taken for sufficient supply of plate. Some few of our Company who are refractory and negligent may be ordered to the service, and we hope by endeavour to give the Lords further satisfaction by a greater proportion. [*Endorsed*, 20th January 1639. $\frac{1}{2}$ *p.*]

Jan. 20.
Burdop.

57. Sir William Calley to Richard Harvey. Mr. Whip received advices last week that a pitched battle had been fought between the Emperor's army and the Swedes, in which the former was victorious, and that Bannier was taken prisoner, and Piccolomini, the Emperor's general, was slain, whereof it seems now there was never a word true. Desires to know how the brawn was liked. We supply ourselves with groceries from Marlborough, but salt-fish is difficult to procure. I pray deliver the enclosed to Lord Cottington, to whom I have now written again, to be a means to release my bonds out of the Exchequer. [$\frac{3}{4}$ *p.*] *Underwritten*, "Notes of 26 letters of various dates, from 30th January to 25th June 1640, sent to Sir William Calley, and relative to his private affairs." [*Probably intercepted*. $3\frac{1}{4}$ *pp.*]

Jan. 21.

Letter to William Earl of Derby and James Lord Strange, Chamberlains of Chester, to admit Henry Henn, his Majesty's servant, into the office of bailiff itinerant within the county palatine of Chester, to whom his Majesty granted the reversion when he was Prince of Wales. [*Docquet.*]

Jan. 21.

Warrant to the Exchequer to settle an assignment of 38,894*l.* 1*s.* 3*d.* to be paid to Sir William Russell and Henry Vane, Treasurers of the Navy, and to John Crane, Surveyor of Marine Victuals, monthly, to be all satisfied before 24th December next, viz., to the two first 27,610*l.* 3*s.* 3*d.* [9*d.*], and to the last 11,283*l.* 17*s.* 6*d.*, upon accompt for the ordinary expense for setting forth of four ships with 500 men for one year, to begin 1st March 1639-40, and to end 28th February 1640-1. Also for repair of all other ships in harbour, and for maintenance of the Henrietta Maria or Maria with 35 men for a year, with all officers' wages and other materials incident thereunto. The charge of all which amounts to so much as appears by estimate under the hands of the Lord Admiral and the other officers of the Navy. [*Docquet.*]

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Jan. 21. Grant to Sir John Finch, now Lord Keeper, of divers fees, diet, robes, wax, wine, rewards, and other allowances heretofore paid and allowed to the Chancellors or Keepers of the Great Seal in respect of that office, and payable by the Clerk of the Hanaper, the Chief Butler of England, and the Master of the Wardrobe, as formerly accustomed. [*Docquet.*]

Jan. 21. 58. Sec. Windebank to George Payler, paymaster of the garrison
Drury Lane. of Berwick. In reply to your inquiry when the entertainment of the forces lately raised out of Durham and Northumberland, and added to the garrison at Berwick, is to begin, his Majesty and the Lords have ordered that their pay shall begin from the time of their muster and quitting Newcastle. His Majesty likes very well of your proposition for contracting with the workmen for the works at Berwick by the rod, but he would have you advise with Sir Michael Ernley and Capt. Fludd [*Lloyd*] herein, and take not only their opinions but their joint consent in this and everything else there, that so your counsel may be united, and his Majesty's service not suffer, either by distraction or by single advices. The Lord Treasurer acquainted his Majesty with your letter of the 8th inst. concerning the repayment of money to the Earl of Lindsey for the proportion of corn which he added to his Majesty's store, whereupon I am commanded to let you know that the King will be served first, before the Earl, and therefore, whatsoever the latter has commanded you to the contrary, his Majesty's pleasure is that you shall not discount for the proportion of 160 quarters which the Earl had provided, but you must be accomptable to his Majesty for it, and as part of his store. I find by the date of your letters that your complaint concerning the slowness of the posts was very just. I believe, however, you sent your letters by the weekly ordinary, which upon occasion of haste you should not do, but rather desire Sir Michael Ernley to direct them to me by way of packet, to which he is to put his name and the date, and so speed them away by the ordinary posts, which will then run with diligence. P.S.—You are to communicate this to Sir Michael Ernley. [*Draft. 1½ p.*]

Jan. 21. 59. The same to Sir Michael Ernley. I have sundry letters of yours by me unanswered, which you will pardon considering my many other employments, and that none of yours required extraordinary diligence. You complain of neglect in the weekly posts; this you may avoid by sending your letters by packet, dated and subscribed, and then they will have a quick passage. I acquainted his Majesty with your despatch of the 31st ult., who liked the advertisements very well, but finds it strange that you complain of the averseness and disaffection of the townsmen, considering you have power to reduce them to reason and to master them, which he expects you to use for his service with moderation. His Majesty is well pleased with the strict guard you keep at the gates, and that you take particular account of all passengers coming from Scotland. Yours of the 1st and 8th inst. have been seen and approved by his

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Majesty, who thanks you for your advertisements and care of his service. His Majesty was glad to find by yours of the 15th inst. that the reinforcements from Durham and Northumberland were come into Berwick, and commands you, notwithstanding the perverseness of the inhabitants, to see them well lodged, and in case of necessity not to spare the mayor's house, nor any other of quality. You do well to see their arms completed and made serviceable. The enclosed for Capt. Fludd [Lloyd] and George Payler give them direction in such things as they desired to receive the King's pleasure in, both concerning the works at Berwick and the places near adjoining, which Capt. Fludd has lately viewed, and are to be strengthened. They are commanded to communicate to you these and all other businesses concerning his Majesty's service, who will expect a joint opinion and consent from you all in like occurrences. You will do well, therefore, to require a sight of these my letters to them, which they are commanded to communicate to you. I am commanded to let you know that if the Scots intend to attempt anything against Berwick they will in [all] probability come along [ac]ross Sydnam's [Sir Humphrey Sydenham's?] work, and fall upon those three bulwarks next the sea. But as you are to have a special eye to those places, so you must not neglect the rest, seeing they are not unlikely to fall upon those that are most slenderly guarded. [*Draft.* 2 pp.]

Jan. 21.

60. Sec. Windebank to Bishop Merton, of Durham. The late Lord Keeper [Coventry] being deceased, and his Majesty desiring that his successor should have the like convenience of dwelling that the other had, has commanded me to signify his pleasure that you accept Sir John Finch, now Lord Keeper, to be your tenant in Durham House, upon such conditions as the late Lord Keeper had it, with entrance at Lady Day next, by which time Lady Coventry will have removed thence. His Majesty doubts not but you will find it advantageous to have a person of such eminence for your tenant. [*Draft.* $\frac{1}{2}$ p.]

[Jan. 21.] 60a. Copy of the same. [$\frac{1}{2}$ p.]

Jan. 21.
Queen Street.

61. Algernon Earl of Northumberland to Sir John Pennington. I have lately given order for a commission to issue out of the High Court of Admiralty to William Battie to sweep and dredge for anchors, &c. in any parts within my jurisdiction. As Battie may have occasion to come into the Downs in execution of this commission, these are to require you to afford him all the assistance you can. [*Admiralty seal impressed.* $\frac{3}{4}$ p.]

Jan. 21.
Oxford.

62. Degory Whear to Archbishop Laud. I am infinitely bound to you in regard of that favour you did me by Mr. President for the settling of all differences which may and are likely to arise between St. John's College and myself touching the place I hold in Gloucester Hall. I am now content, upon the conditions proposed, to resign my interest, but because I cannot suddenly resolve upon

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whom your favour should devolve, my son being out of town, I pray two or three weeks' grace for the better settling of it for my future content. [*Seal with device.* 1 p.]

Jan. $\frac{21}{31}$.
Hague.

63. Elizabeth Queen of Bohemia to Sir Thomas Roe, ambassador at Hamburg. Honest Tom,—Yours of the $\frac{10}{20}$ January I received [the day] before yesterday. You may be sure that what you write of Arnheim's design shall not be known to any; if it might be effected it were a brave business, but I fear the Elector of Sax[ony] will not be brought to it, nor consent that the Prince Elector Palatine [Charles Lewis] have any good. I pray God he do not discover all to the Imperialists. I shall long to know what the King [of England] will say to it. Milandre has sent letters hither, which say that the officers of Duke Bernhard [of Saxe-Weimar] sent to the Landgravine [of Hesse Cassel] a lieutenant-colonel to desire her assistance to pass the Rhine. He says that the officers are all much discontented at the agreement made with France, and may easily be got to support the Prince Elector, if the King [of England] will but give some money. He wishes to speak with Curtius because his mistress has sent one to the officers who looks for him suddenly again, and by the before-named will let me know what is answered. He goes away thither to-day. I have written this into England. I pray keep this to yourself, for if it be known it may prejudice the Prince Elector in France, and in any case let none know it comes from Milandre. I had letters yesternight from Paris that tell me my son shall be released if the King [of England] and he will give their words that the latter shall not stir out of France without that [the French] King's leave; what will be done in it further I shall hear this week. Rupert is still at Linz; he shall have leave to have a gentleman, page, and groom with him; they must be Dutch or English; he is not yet upon his word, nor I think will be. I long to know what you think of the captain and design for liberty. I will end for this time, only I have almost forgot to tell you that Curtius is sent by the King to give him such advertisements as he can from Germany and stay his further order; this is all I can tell you of his negotiation; he has many letters of credence. I assure you neither I nor my son have desired it, neither know I further of his commission but this. P.S.—Your wife's Whelp is gone for England. I pray assure her of my love. [*Partly in cipher. Seal with arms.* $1\frac{3}{4}$ p.]

Jan. 22.
Whitehall.

64. The King to John Earl of Traquair, Treasurer of Scotland and Commissioner there. We have sent by this bearer, Capt. Shipman, such men and munition as were formerly desired for the strengthening and securing of Edinburgh Castle, and have commanded the Provost and magistrates of that city to be aiding to those employed for the safe conveying of the same into the castle, in such numbers and parcels, and at such times as the bearer hereof shall direct, and for suppressing any insolency or opposition that shall be raised in disturbance of this our service, as by our said letters, a duplicate of which you are to receive, will appear. [*See No. 67.*] We have

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thought fit to give you notice hereof, that you may contribute what shall be in your power either by counsel or force to the effecting of these our commands, wherein we are confident you will not fail, but will give us a good accompt of your diligence, which we require and expect from you with all speed. [*Written by Sec. Windebank and signed by the King.* 1 p.]

Jan. 22. 65. Copy of the same, unsigned. [1 p.]

Jan. 22. 66. Similar letter to Patrick Lord Ettrick, Governor of Edinburgh Castle. [*Draft.* $\frac{2}{3}$ p.]

Jan. 22. 67. The King to the Provost and Bailies of Edinburgh. Whereas
Whitehall. we have thought fit to send some men and ammunition to our castle of Edinburgh, we do hereby command you upon your allegiance, and upon pain of incurring the punishment of high treason, not only to suffer the same to be landed and conveyed into the castle, in such numbers and parcels and at such times as the bearer hereof shall direct, but likewise to be aiding and assisting in this service to Capt. Slingsby and Capt. Shipman, to whom we have committed the charge. You are to cause boats to be sent from Leith to our ship, to transport the same on shore, and then to cause a strong guard to convey them into the castle, and to resist any violence or opposition that shall be made to this service, the disturbers to be punished exemplarily as in case of high treason. You are further hereby commanded to give us a speedy accompt of your diligence and proceedings herein, and that you fail not in any the premises, as you will answer the contrary at your utmost perils. [*Copy.* $\frac{2}{3}$ p.]

Jan. 22. 68. Two copies of the same. [2 pp.]

Jan. 22. 69. Draft of the same. [$\frac{3}{4}$ p.]

[Jan. 22.] 70. Instructions [of the Earl of Northumberland, Lord High Admiral] for Capt. Robert Slingsby, captain of his Majesty's pinnace the Expedition. When the hundred landmen and ammunition out of the Tower shall be aboard the ship called the Providence of London, now in the Thames, you are to take the same under your protection, and to waft her into the Firth of Forth near Leith in Scotland, not acquainting any man whither you go till you come to the latitude of the Holy Island. When you are arrived in the Firth you must be careful not to come within command of the shore. When you come to an anchor at Leith you are to send the King's letters to the Earl of Traquair, his Majesty's Commissioner at Edinburgh, to the Provost of the same, and to Patrick Lord Ettrick, Governor of the castle of Edinburgh. Gives directions as to the landing of the landmen and ammunition, and their conveyance to the castle. You are, upon arrival in the Firth, to impart to Capt. Shipman, who commands the hundred men, these instructions, that you both may join together for the better execution of this service, and having performed the same you are to return with all expedition

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to Chatham, to take in the rest of your victuals for the summer's employment, bringing the said captain along with you. [*Draft.* 2½ pp.]

Jan. 22.
Whitehall.

71. Instructions by the same for Capt. Abraham Shipman, captain of a company of one hundred foot soldiers. Whereas by his Majesty's commission of the 20th inst. you have received into your charge a company of 100 foot, with order to lead and conduct them to such place and in such manner as I shall direct, these are to require you to repair on Thursday next, by 8 o'clock a.m., to Tower Wharf, to receive the 100 men who shall be brought to you by one of the Deputy Lieutenants of Middlesex or some other officer, and, as they come, to put them on board the Providence of London, riding there for that business, and being aboard you shall with the said vessel and men fall down the river into the Hope, and so put to sea, and when Capt. Slingsby, of his Majesty's pinnace the Expedition, now riding there, shall appoint, causing your vessel to keep company with the Expedition. When you shall be arrived near the port which Capt. Slingsby shall tell you of, you shall in his presence open these instructions which herewith I deliver to you, under my hand and seal, and put the same punctually in execution. [*Copy.* 1¼ p.]

[Jan. 22.]

72. Additional instructions for Capt. Abraham Shipman, captain of a company of 100 foot soldiers to be conducted to Edinburgh Castle. When you shall be come to an anchor in the Firth of Forth near Leith, you shall receive from Capt. Robert Slingsby, of his Majesty's pinnace the Expedition, three letters from the King, one to his commissioner, the Earl of Traquair, Lord Treasurer of Scotland, another to Lord Ettrick, Governor of Edinburgh Castle, and a third to the Provost of that city; these you are immediately to carry on shore, and deliver them all to his Majesty's commissioner if he be not departed for England, but if he be already gone you are to keep back his letter, and deliver the other two, that to the Provost first. This done, you are to observe such further instructions as Capt. Slingsby has already received from me, and which at the opening hereof he is to impart to you, and you both jointly are to put the same in execution. [*Copy.* ¾ p.]

Jan. 22.
Berwick.

73. George Payler to [Sec. Windebank]. The five new companies raised in Durham and Northumberland are already mustered, and are billeted here in the town. I received instructions from the Lord Treasurer for the payment of their entertainments, which I shall observe. There is a report with us that the Earl of Lindsey is removed from the post of governor. If so, a timely advertisement thereof were much for my safety; otherwise I must in pursuance of his commands continue to execute his warrants. The fortifications and necessary works here are prosecuted with great energy, as the drawbridge over the town-bridge and that without the Cowgate. All the guards belonging to the garrison are forcibly maintained.

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As it is Sir Michael Ernley's intention to express the intelligence from Scotland, I shall now no further trouble you. [*Endorsed by Sec. Windebank as "Answered in Sir Michael Ernley's letter of the 28th." 1 p.*]

Jan. 22.
Berwick.

74. Sir Michael Ernley to Sec. Windebank. I am informed [out of Scotland] that upon the 27th inst. six commissioners will be sent to his Majesty, two for the earls, two for the barons, and two for the burgesses, but one or two of them that are chosen dispute the danger that may issue, and are very diffident. They all pretend that until they have the King's resolution they will offer at nothing that shall be prejudicial to his Majesty. For my own particular I shall rather be the more than the less careful in my charge. The insolence of the discourse of the generality is insufferable, and nothing makes me so confident that they are able to do little as that they pretend to do what is impossible. Their general Lesley is always attended in the streets by 30 or 40 officers. Order has been given to the towns of Kelsoe and Dunse that they should be ready for the quartering of 8,000 or 10,000 men, but no preparation made, which doubtless is nothing but mere brag. I am now absolutely of opinion that the best way to tame them is to bid them do their uttermost, for I doubt not but they will shortly see their error, though at this time they seem to be more furious than ever they have been. The 500 men of the trained-bands have made much noise there and give me much countenance here, but their arms are for the most part unfixed and unserviceable, and the men all or the most part hired, so that they have no knowledge of the use of arms. I must inform you that the alteration which is conceived rather than certainty of the remove of divers officers here, makes a little confusion amongst them; therefore if you think fit there may be something said from you in that particular. [*Endorsed by Sec. Windebank, "Sir Michael Ernley to have notice that if the 100 men sent to Edinburgh be refused, they are to be put into Berwick to be disposed of by him for recruiting the garrison; the munition to be put into the magazine, and the money to be paid to the paymaster according to Slingsby's instructions." Seal with arms. 1 p.*]

Jan. 22.
Bishop
Auckland.

75. Bishop Morton, of Durham, to Sec. Windebank. As concerning his Majesty's command expressed in your letters of the 13th inst., touching deputations to be made to Sir John Fenwick and others, Deputy Lieutenants of co. Northumberland, for mustering the trained-bands within Norbamshire, Elandshire, and Bedlingtonshire within the same county, I shall desire that you will signify to his Majesty that I have formerly prevented his Majesty's expectation by my care in that behalf, having long since deputed Sir John Clavering and Mr. Swinhoe, justices of peace of that county, by whom the aforesaid bands are both trained and serve jointly with others of Northumberland, for the performance of that service; and accordingly they have been, upon his Majesty's late command,

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conducted to Berwick with the first, which I doubt not but his Majesty will approve of, as being the especial means to preserve the right of the bishopric in the due property it has thereby, as distinct from the interest of all other Deputy Lieutenants under any other personage. But if this my information may not encounter the former, which was given to his Majesty, I shall dutifully submit myself to what shall be otherwise commanded. [1 p.]

Jan. 22.
Berwick.

76. Capt. Charles Lloyd [to Sec. Windebank]. I have sent divers letters in answer of that command you laid upon me, but I fear they have miscarried. I am in hand with the walls, performing what the inclemency of the weather will permit. Particulars relative to the progress of the fortifications and the clearing of the moat before the Cowgate, which is 50 feet broad and 10 deep. The heights without the moat, which may shelter any man against us, I have caused to be razed. I have set so many men out of each company to raise a breastwork six feet high with a foot bank only musket proof, to shelter our musketeers against any sudden assault, from the mill bulwark to the end of the mount next the palace. P.S.—I shall desire his Majesty's and your approbation to these propositions. [*Endorsed by Windebank as "Received on the 27th, and answered in Sir Michael Ernley's letter of the 28th inst." 1 p.*]

Jan. 22.
Plymouth.

77. Robert Gabbes, mayor, and eleven others of Plymouth to Archbishop Laud. Your many favours heretofore vouchsafed to us and to the poor fishermen of these parts employed in Newfoundland embolden us to become suitors for the continuance thereof at the present. Sir David Kirk lately obtained letters patent for settling a plantation in Newfoundland, intending thereby, as it seems, to supplant the fishermen in their trade and destroy this voyage, the chief seminary of seamen in these parts, rather than any benefit to this kingdom. Contrary to the laws heretofore given by his Majesty, with the advice of your Grace and the Lords of the Council, under the Great Seal, for the well ordering and government of the said fishermen, Sir David this last fishing season pulled down their cooking rooms, destroyed divers of their stages and train-vats, excluded them from the principal places for fishing in the bays and harbours, which he let to Biscayans or other aliens, and set up in these places taverns for the sale of beer, tobacco, wine, and strong waters, by means whereof the poor ill-governed fishermen are induced to waste their estates, purloin their masters' goods, and grow so deboish [debauched?], especially on Sunday, that they become very unfit and unwilling to undergo their labour, besides divers other injuries offered them too long to relate. The fishermen, merchants, and owners of shipping in these parts having employed the bearer, Mr. Fowell, to petition your Grace and the Lords for redress in the premises, our suit to you is that you would afford us and them herein your wonted favour and goodness, that the fishermen receive not henceforward the like wrongs, for which we and they shall ever be bound to your Grace. [*Seal with arms. 1 p.*]

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Jan. 22.
Gray's Inn.

78. Sir John Bankes to Nicholas. I desire that these several orders I herewith send you, touching the butchers and graziers, may be examined and returned to me, under your hand and the Council seal. I likewise require a copy of the certificate mentioned in the order for use in the Star Chamber on Friday. [$\frac{1}{2}$ p.]

Jan. 22.
Louth.

79. Sir Charles Bowles, Sir Henry Radley, and Sir Gervase Scrope to Endymion Porter. The pretension of Herbert Newstead that we all agreed he should be recompensed for loss sustained by the poors' land in North Somercotes is so contrary to truth, that we conceive this calumny is set to withdraw your eyes from those pious intentions you had, that the poor should have the revenue of your charity. We have given him allowance of so much as we thought him worthy of, and cannot but wonder that you should suffer so great a diversion of your bounty by letting him enjoy your land, and not enabling us to work out your intention by a legal way, and, most of all, now to refer it to others. The land is an indifferent pennyworth at 48*l.* per annum, and Newstead the unfittest man to be tenant. We desire you to finish your one good work, to vindicate the rents passed out of Newstead's hands, and employ them for the use you intended, in which you may rely on our support. In the meantime give us leave to expect from you that since you have pleased to name us in this trust you would give credence to us and furtherance to our proceedings, or else to withdraw your trust of that from us wholly and place it elsewhere. [*Seal with arms broken.* 1 p.]

Jan. 23.
Westminster.

80. Privy Seal appointing Sir William Uvedale, Treasurer of the Chamber, to be Treasurer at Wars for the present intended expedition. Our pleasure is that you receive and pay all such sums not exceeding 300,000*l.* as you shall be directed by warrant under the hands of three of the Lords named in the Privy Seal of the 8th inst. [*Draft.* 1 p.]

Jan. 23.
Whitehall.

81. Warrant [of the Council of War] to Sir Robert Pye. To draw an order for issuing to Sir William Uvedale 4,000*l.* upon accompt as Treasurer at Wars, the same to be reckoned as part of the Privy Seal of 8th inst. for 300,000*l.* [*Draft.* $\frac{1}{3}$ p.]

Jan. 23.

82. Minute of the appearance before the Council of Nicholas Mayleigh, of Carisbrooke, Isle of Wight, but he is to remain in the messenger's custody till discharged. [3 lines.]

Jan. 23.

Similar minute of the appearance of James Jutt, of Chilbolton, Hants. [*Written on the same paper as the above.* 2 lines.]

Jan. 23.
Drury Lane.

83. Robert Read to his cousin [Thomas Windebank]. I wish that you and the Polish ambassador could advise together to deliver the Bois de Vincennes of two twin princes at a birth [Charles Lewis, Prince Elector Palatine, and Prince Casimir?], but I fear the time is not yet come for either of them. In the interim I am sure the children labour more than that which must bring

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them forth. You term the noise there [in Paris] of your pretensions to Mrs. Banning very rightly an echo. The man [Sir John Finch] named in my last for Lord Keeper is now actually so, and rode this day to Westminster Hall in great state. The Solicitor-General [Sir Edward Littleton] has succeeded to his place of Chief Justice [of the Common Pleas], and the Queen's Attorney, Herbert, into the place of Solicitor-General. These are all the removes worthy your knowledge. Sec. Coke, after four days staying at home, came to the court again, by some means made to the King for him by some of his great friends, and has since remained at court, but I understand that he is to retire shortly without hope of returning. It is a business I do not much hearken after, because I think it is very indifferent to Sec. Windebank whether Coke stay in or no, for all we shall gain by it is at the most but a diet, which for my part I regard not, neither do I believe that it will be threepence a year advantage to Mr. Secretary [Windebank], but rather a greater charge; yet if the other secretary go off, it must not be neglected for credit's sake. The mask was performed last Tuesday night, myself being so wise as not to see it. They say it was very good, but I believe the disorder was never so great at any. We keep all our virginities at court still; at least we lose them not avowedly. My Lord of Braughan [Broghill] is grown so settled in his love now that he will suffer nobody to be in company of his mistress but himself, which Mr. Thomas Howard found the other day, and was glad to give him an accompt in the field why he left not walking with Mrs. H[arrison] as soon as his lordship entered the room; but I think it was but in jest, for there was no harm done. You see with what trifles I spin out the time with you, and if I have but gotten you into my thoughts I am as unwilling to part with you as I am with your company when you are present. All this family present their best affections to you, and I pray still for your satisfactory despatch [from the French court] and safe return. P.S.—My cousin, John [Windebank], is returned to Oxford, but my brother the doctor remains still here [in London] to receive his admission this term. [2 pp.]

Jan. 23.
Emanuel
College,
Cambridge.

84. Dr. Richard Holdsworth, Archdeacon of Huntingdon, to Archbishop Laud. Understanding by Dr. Morrison, my official, that upon a petition preferred to you by some of the inhabitants of St. Ives against Mr. Reynolds, their curate, for refusing to give them the Holy Communion, otherwise than at the rail, you referred the business to the Dean of the Arches and the Chancellor of Lincoln, and that by them it was transmitted back to Dr. Morrison, I thought it my duty to acquaint you with the full and true state of the case, which by the petitioners was not made known to you. They had been with myself before, for obtaining their desire, and I was willing enough to have promoted it, but that I found upon speech with them, and it is also in the court *apud Acta*, that all the parishioners there, being about 800, had used for the space of almost three years, with unanimous conformity, to come up

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to the rail to receive the mysteries, not one man excepted. In this decent uniformity it went on until Trinity Sunday last, when two or three only of the parishioners refused to continue so to do, not out of any scruple of mind, for ought I can see, but rather upon a humorous disposition to molest the curate, and indeed the whole parish. Since that time the number of refusers is increased to those 11 who petitioned your Grace, which caused me to take some pains, both by fair conference and by letters, to persuade them to their wonted manner of receiving, to prevent the great distractions I foresaw it would occasion if those few were suffered to receive in a way different from so many hundreds who make up the body of the parish. Not prevailing by persuasion, and perceiving that Dr. Morrison, by reason of the reference, is inclinable to leave them to their liberty, I advised him to stay his final order till I might further learn your pleasure, purposing to do it by personal attendance upon you, but being in no good case at this time to travel, I am necessitated to this boldness of writing, that you would vouchsafe, by a word from your secretary, to appoint what you please to have done, and I shall be as ready to rest in your appointment as I was before backward to give any countenance to their newly assumed extravagance. You may remember that at Easter last, for preserving peace in Welwyn, co. Herts, I was bold to move in their behalf, in a contrary manner, because the whole parish was concerned in it, neither had it ever been their practice; therefore I hope you will not think me vainly mutable, if upon such different grounds I have been as averse in this case as I might seem officious in that; submitting in both, by a filial obedience to your wise and grave determination. [*Seal with arms.* 1 p.]

Jan. 23. 85. Tenders by 16 gunmakers named, what proportion of pistols and carbines they severally and respectively will undertake to make for the King's service within three months from this date, being freed from all charges, and supplied with powder and shot for proof at the prices specified, viz., pistols with their fittings, 2*l.* 16*s.*; carbines with the like, 1*l.* 10*s.* Totals, pistols 450, carbines 362. [1 p.]

Jan. 23. 86. Sentence of the High Commission Court against Edward Lambeth. Parkhurst, of Horsham, Sussex, grocer. Parkhurst was charged with having in 1637 by false statements obtained a license, out of the Archbishop of Canterbury's Office of Faculties, for the marriage of William Gratwick, tailor, with Mary Feest, spinster, and subsequently procured them to be married at Chittingly, 20 miles from Horsham, he giving the young woman in marriage to Gratwick without the consent of the father or grandfather of the latter, who, instead of being of the age of 23 years as sworn, was only 19½ years, and then an apprentice to William Whiting, of Horsham, woollen draper, and in probable expectation of some means from his maternal grandfather, Thomas Harper, if he had

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married with his consent. The court imposed on Parkhurst a fine of 200*l.* to the King's use, and condemned him in costs of suit, which are to be taxed next court day; he was also required to enter bond in the registry of this court for the undergoing of this sentence in each particular. [3 $\frac{1}{4}$ pp.]

Jan. 24.
Whitehall.

87. The King to Algernon Earl of Northumberland. Warrant to contract for the supply of victuals for 5,000 land soldiers for six months, the contract to be submitted for approval to the Council of War. You are also to provide by way of freight or otherwise a sufficient number of vessels and other necessities incident for the transportation of these men, the charge to be borne on the Privy Seal of the 8th January. [*Copy.* 1 p.]

Jan. 24.

88. The same to General James King. We have received divers testimonies of your good affections both to our service and to that of the Prince Elector [Charles Lewis], our nephew, and withal we understand that some have attempted, though in vain, to seduce you to seditious courses in Scotland. We have thought fit by these our special letters to take notice [of your service], and to assure you that we do and will retain a princely memory of them for your good as occasion shall be presented. And to give you yet a further demonstration hereof, we are pleased hereby to make known to you our desire to repose a special trust and confidence in you, and that if you will return hither we will presently confer such a charge upon you in the army which we intend to set out this year for our service in the north as shall both in honour and benefit equal, if not exceed, any other which you have in foreign parts. [*Draft in Sec. Windebank's hand.* $\frac{3}{4}$ p.]

Jan. 24.

89. The same to Patrick Ruthven, Lord Ettrick. We have sent you by Capt. Robert Slingsby, of the pinnace Expedition, the men and ammunition you desired for strengthening our Castle of Edinburgh, the same to be landed at Leith, and so conveyed to the castle. The 100 men are entrusted to Capt. Shipman to be conducted in small numbers to the castle, to which purpose we have directed our letters to the Provost of Edinburgh. Duplicates of this letter, of the one to yourself of the 22nd, and of that to the Earl of Traquair of the same date, we have sent by Capt. Shipman, as also of our instructions to Capts. Slingsby and Shipman, of all which we have thought fit to give you notice, lest our other letters sent by the sea shall miscarry. If these supplies shall come safe to you we doubt not but that place by God's assistance and your care and fidelity will be secured. In case they shall miscarry by disaster at sea, or shall not be suffered to be landed by opposition of any of our disaffected subjects of Edinburgh, you must then look to yourself and advise what course you will take for your defence and preservation, and withal advertise us whether you shall be able or will think fit to force the town to furnish you with ammunition and other necessities as you have done already with victuals, or from what other place or by what other means you

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may procure them. In all which we expect your speedy answer, that so we may order our affairs accordingly [and] co-operate with you in whatsoever you shall think may conduce to this important service. [*Margin*: This postscript was added by his Majesty and signed by him.] As for your advice by one of your letters to have supplies of men sent you by the means of the Governor of Berwick, we think it so unfeasible, that we have not thought fit to hazard it that way, trusting wholly to this open and honourable course. Signed C. R. [*Margin*: Mem. I showed his Majesty this postscript, and he was pleased to put his short sign to it, both above and below.] Notwithstanding the above-said postscript, upon further consideration of your letters of the 30th December last, delivered by the Lord of Earth [Earl of Airthe], we are of opinion that there can be no prejudice to our service to endeavour by the Governor of Berwick to supply you with men secretly and by small numbers; and therefore you shall do well to contrive your secret intelligence with the Lieutenant-Governor there, to whom likewise we have commanded our secretary to write in our name, to correspond with you herein, and to give you all possible assistance, but with as much caution and secrecy as may be. *Dorso*, "To the Lord Ettrick with this letter were sent the duplicates within mentioned, and all delivered to the Marquis Hamilton this 24th of January." [*Draft in Sec. Windebank's hand. 2 pp.*]

Jan. 24. Presentation of Thomas Lushington, D.D., to the moiety of the rectory of Burnham Westgate, in the diocese of Norwich, void by the death of the last incumbent, and in his Majesty's gift by reason of the minority of John Soame, his Majesty's ward. [*Docquet.*]

Jan. 24. 90. Order of Council of War. It was this day resolved that
Whitehall. order be taken for buying 7,000 muskets with bandoleers and rests in Flanders, and 2,520 corselets, but no swords nor pikes; also arms for horse, viz., for 500 cuirassiers and 1,500 carabineers, the fore-part of both sorts to be pistol proof, for the selection of which some able person to be appointed by the Master of the Ordnance is to be sent over into Flanders, and to carry with him patterns of such muskets, carbines, and pistols as are to be there bought for the King's service, and to give a weekly accompt to the Council of War of his proceedings, for which he is to be allowed 10s. per diem. Sir Job Harby is to procure a merchant to agree upon the price and undertake for the payment of these arms, the Lord Treasurer supplying Sir Job with such sums as may be requisite. Sec. Windebank is directed to move his Majesty that letters may be written to his agent with the Infante Cardinal to procure license to bring all such arms from Liege through Flanders, to be shipped for England. P.S.—There is also about 100 tons of good match to be provided in Flanders, if it may there be had, and the Lord Treasurer is to give order to Sir Job Harby to send to his agent or factor to treat and see what proportion of match may

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there be had, at what rates, and in what time. [*Copy, endorsed for Sec. Windebank. 1½ p.*]

Jan. 24. 91. Another copy of the same. [*1½ p.*]

92. Draft by Nicholas of the same. [*1½ p.*]

Jan. 24. [Order of the Council of War.] It was this day resolved that the Earl of Newport should be hereby prayed to take present order for furnishing 4,000 swords and 2,000 bandoleers a month, each charge of the latter to contain only half an ounce of powder, that proportion being certified to be most serviceable in ease of musketeers, and that it will do as much execution as the proportion of powder heretofore severally allowed for the charge of a musket. [*Written upon the same paper as the preceding. Draft. ½ p.*]

Jan. 24. [The Council of War to Montjoy Earl of Newport.] There being present occasion to use a good proportion of arms for his Majesty's service more than are in store, we pray you to take order not only for completing such arms for foot and horse as are in the magazines, but to cause to be made 8,000 muskets, and as many rests and bandoleers, each charge of the latter to contain only half an ounce of powder; also to put in hand 3,500 corselets, 21,000 swords, and 2,520 pikes; these last to be made here and at York. You are to cause an estimate of the charge of these arms to be drawn up and sent to us, that we may take order for payment as they shall be weekly or monthly delivered into the stores. [*Ibid. Draft. =1 p.*]

Jan. 24. Order of the Council of War. The Earl of Newport, as Master of the Ordnance, to certify what number of serviceable saddles are in each of his Majesty's storehouses here or in the north, and what number of saddles the Company of Saddlers will undertake to deliver monthly. [*Ibid. Draft. ½ p.*]

Jan. 24. 93. Order of Council to the Lord High Admiral. John Lane, merchant of Dartmouth, is now making ready the Wolf, a ship of 320 tons, to go to the Bay of Verds, with intent to disturb or prejudice the fishery there, and being sent for by warrant, upon pretence of sickness refuses to appear at the Board, on purpose to gain time to set forth the ship. We therefore pray you to give directions for the sure staying of this ship until Lane has answered to such things as shall be objected against him, or till further order from this Board. [*Draft. ¾ p.*]

Jan. 24. 94. The like order that the Lord Treasurer and Lord Cottington be prayed to give order for the reimbursement of 96*l.* 4*s.* 1*d.* to Sir John Manwood, Lieutenant of Dover Castle, expended by him in necessary reparations, according to letters of privy seal dormant for the issuing of moneys for the repair of castles and forts, upon evidence that so much has been disbursed for this service. [*Draft. ½ p.*]

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Jan. 24.

95. The like, supplementing a former order of the 15th inst. [*see Vol. ccccxlii., No. 1*], touching the differences between Edmond Ludlow and his brothers and sisters, referred by his Majesty to the Board. Ordered that petitioners cause all writings and evidences with which they are acquainted concerning the lands or tenements descended to Edmond to be delivered into the Rolls upon oath, particularly a deed signed by Edmond since his father's death. The hearing of the differences fixed by the Lords for the 5th February next in the Inner Starchamber. [*Draft. 1½ p.*]

Jan. 24.

96. The like order upon a petition of Peter Robinson, feltmaker. Petitioner complains that the Company of Feltmakers had procured an order [*see Jan. 17, No. 26*] for his committal to the Fleet Prison for not performing the agreement entered into before Sir William Beecher, for compliance with the rules of that company, which he conceives he has fully done, having made his trial-piece, viz., three felts at the house of the late Master of the Company, and transmitted the same to the Company, in whose possession they now remain. Ordered that if Robinson shall make it appear to the Lord Mayor of London, to whom the examination of this business is referred, that he has performed the said agreement, he is to be discharged from his imprisonment, and hereof the Warden of the Fleet is to take notice. [*Draft. 1 p.*]

Jan. 24.

97. The like for transmitting the petition of John Williams, prisoner in Bristol, with other papers concerning him, to Serjeant Glanville, recorder of that city, with instructions to peruse the same, and certify the Board what he knows thereof, and conceives best to be done therein, that such further course may be taken as shall be fit. [*Draft. ⅔ p.*]

Jan. 24.

98. The like. Forasmuch as there has of late years been more than ordinary liberty taken by all sorts of people to eat flesh in Lent and other times prohibited, contrary to his Majesty's proclamations, and the orders and directions of this Board, it was this day, by his Majesty's express command, ordered that the Attorney-General be required to prepare a draft for a proclamation to the same effect as that dated the 27th January 1631-2. [*Draft. ⅔ p.*]

Jan. 24.

99. Note of the appearance of Samuel Foy, of Whitcombe, high constable of the hundred of Horethorne, sent for by Council warrant. He is nevertheless to remain in the messenger's custody until discharged. [*¼ p.*]

Jan. 24.

Barnstaple.

100. Anthony Gay, late mayor of Barnstaple, to the Council. In compliance with your letters of the 30th November last, I have endeavoured to collect the arrears of ship-money assessed on this town for 1638, and have paid in 50*l.* 8*s.* 8*d.*, leaving uncollected 3*l.* 11*s.* 4*d.* A note of the persons refusing and on whom I cannot levy distresses I herewith present. [*Seal with arms. ½ p.*]

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Jan. 24.

Drury Lane.

101. Sec. Windebank to Sir Thomas Roe. His Majesty delivered to me your despatch of $\frac{10}{20}$ December directed to Sec. Coke, and commanded me to return you this answer concerning the King of Denmark: that he takes very well that King's heartiness in the Prince Elector's affairs and the princely office which he passed in favour of him to M. Davaux upon occasion of his imprisonment in France, which his Majesty here will shortly acknowledge by his own letters to that King, and in the meantime you are to let him know in his Majesty's name how sensible he is of these expressions of his true affections and royal intentions to the House Palatine. The paper wherein the matter, manner, and circumstances of that gallant office was set down I have not yet seen, but I will demand it of Sec. Coke, and then advise upon some answer from his Majesty to that King. The overture made by Raventlaw for his Majesty's interposition to the States for some accommodation between that King and them his Majesty accepts, and will readily lay hold on this or any other occasion, to return the like friendly offices to him that he has done in favour and furtherance of the interests of his Majesty, and of those of the Prince Elector Palatine. Besides, as you well observe, his Majesty's own particular is concerned herein, and he may involve his own affairs and settle the commerce by this occasion. His Majesty has commanded me to thank you in his name for your care and advice concerning the provisions of arms made by the Covenanters of Scotland, which his Majesty doubts not but you will use your best diligence to prevent in those parts, and like care shall be taken to intercept them in their passage thither. The affairs of Scotland are still in ill condition, but there are daily expected here some to come from thence to his Majesty with propositions from the Covenanters, and upon the success of their negotiation will depend the pacification or embroiling of that business. The adjoined from his Majesty to General King [*see ante*, No. 88] I am commanded to send you, and to desire you to cause it to be delivered to him. His Majesty is pleased to take notice of King's good affections to his service, and that he has refused to join with the Covenanters, though invited earnestly and upon advantageous conditions by them, and withal his Majesty wishes him to come into these parts, and offers him employment this next summer equal to any he has there. Your Lordship is to use the most powerful persuasions to him that you can to the same purpose, and likewise to procure as many other of the most able commanders and others of that nation bearing arms there, or with the Swedes, to repair hither to his Majesty's service, where they shall be well received and entertained. For the close of this despatch, wherein you desire to be revoked, his Majesty expects that you settle his affairs in those parts in such a condition as you may return home the next spring, which his Majesty is well inclined to. There has been some proposition lately made to Sec. Coke to retire now in his age, which has gone so far, as that Mr. Treasurer [Sir Henry Vane] has been named by the general discourse both of the court and city to be his successor. And hereupon the old gentleman did absent himself and

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keep home for some little time, but now he is in court again, though he meddles not much with business. What the end will be I cannot certainly determine, but the opinion of most is that he will not long continue in court. Howsoever his Majesty shall dispose of him, or he of himself, you shall find a true and real correspondence on my part, and that I will be most ready to contribute what shall be in my way, not only to the facilitating of your services while you are abroad, but also to your revocation, seeing you have so often and instantly desired it, with which assurance I desire you to accept my humble services. P.S.—I do not well know General King's christian name or what other titles he has, and therefore leave the direction of his Majesty's letters imperfect and desire you to add the rest. [*Copy. 3 pp.*]

Jan. 24.
Bishopthorpe.

102. Archbishop Neile, of York, to Sec. Windebank. Upon receipt of yours of the 17th inst. I sent to Mr. Alvey at Newcastle, with a copy of your letter to the Bishop of Durham, and gave him such instructions as I thought fit, for his better carriage in the present business. I informed him how tender you are of him, that it may not appear that he set the information, given to his Majesty, on foot; and therefore to carry himself very warily in it, and not to discover himself, either in the town or at Durham, but to attend till the Bishop of Durham shall call for him; yet that he should be sure to be able to prove the indirect proceeding in the election of Bewick, notwithstanding that he had offered himself to undergo that lecture. I also wished him diligently to observe the doings of the faction upon the receipt of your letters to the mayor, and if the Bishop of Durham did not within a few days send for him, and proceed in the business according to the directions of your letters, he should advertise me of it, that I might take some occasion to urge him to it. If the bishop should proceed in it, then to vindicate his own right and reprove their neglect of him and indirect proceeding in that election, he should give me notice that I might give you account accordingly of the carrying of the business and the success thereof. I thank you for the great comfort you give me by relating his Majesty's so gracious acceptance of my poor endeavours to do him service, which I shall ever labour to deserve. [*Seal with arms broken. 1 p.*]

Jan. 25.

Warrant to the Exchequer to pay to Cornelius Holland, paymaster to his Majesty's children, 3,096*l.* 10*s.* for the year ending 30th September 1640, and 2,000*l.* yearly for the future, for supply of 16,000[0]*l.* payable out of the revenue for the pre-emption of tin, towards defraying the expense of his Majesty's children, the two first-named sums, which were payable out of the said rent, having been otherwise disposed of; with proviso that a former privy seal for payment of the said 16,000*l.* per annum be of effect only for payment of 7,000*l.* already received by virtue thereof for the year ended 30th September 1639, and for payment of 12,903*l.* 10*s.* for this present year, begun 1st October 1639, and for payment of 14,000*l.* yearly for ensuing years. [*Docquet.*]

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Jan. 25. License to Philip Porter to travel for three years into foreign parts with two servants. [*Docquet.*]

Jan. [25.]
Edinburgh
Castle.

103. Patrick Ruthven, Lord Ettrick, to the King. The cause that I have so long deferred to write to your Majesty was my daily expectation to receive your further commands, together with a supply by sea according to your letters of the 5th inst., and also the lack of a trusty messenger. The Lord Commissioner [Traquair] has since well supplied me with means, so that I have got some small quantities of gunpowder and match, also some more victuals. I have not yet above 142 soldiers with their officers, expecting daily, but with small hope, more supply from Aberdeen, the Earl of Airlye, and the Constable of Dundee. I believe the people will not admit of any supply that comes by sea, but your Commissioner can show you how to send a supply of men and ammunition from Carlisle, which I beseech you may be done before you cease to treat with this people in a fair way, for the safety of this house will be of no small consequence to your Majesty in many respects. I am not able to express my mind in this and other particulars so fully as if I were present with you, but in the meantime I most humbly beseech your Majesty that if a fair way will not reduce this people to their due obedience that you give them not the advantage of too long delays, which will but make them stronger. Though I want the plausible expressions of courtiers, yet I shall be bold to give your Majesty the best advice I can, as becomes a soldier and a faithful servant. I first beseech you that if you intend to come again against this people with an army, such a course may be taken that all kinds of necessities may always precede your army, for such defects have often proved the ruin of great forces. Secondly, I advise you to accept of none but well-experienced commanders, and not to spare any cost in the beginning, for if your soldiers' expectations are fully satisfied at first, it will be a great inducement to them to proceed with courage a long time afterwards. Thirdly, that you come with such power as may soon compel them to obey you as their King, and that you use expedition in all enterprises of war. There are some Scots commanders here, who served you the last year, and who will be glad to serve you now also; these are only deterred from coming to you by reports that their countrymen's service is now much rejected by your Majesty. The Covenanters much boast that their cause has many well-wishers near your Majesty, but I hope they will deceive themselves in such vain hopes, though I cannot assure you of any faithful servants you have here. I desire you to send me directions how to behave myself on all occasions hereafter, for some match that I was lately bringing into the castle was intercepted, but re-delivered the next day upon better deliberation. I am forced to pay excessively for all provisions, and these, I am sure, are supplied more through fear than respect to your Majesty. If you should not be able to supply me as you desire, I shall be ready to defend your castle with these I have as long as God will enable me, relying upon his all-sufficiency and your care of this place more

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than any strength that is yet within it. I proceeded with the well, so far as seemed advisable, but have ceased to meddle with the works, because I have had such experience of the masons' falseness that I think it not safe to trust them any further. I have now no friend to rely on except God and your sacred Majesty, but I am sure of many enemies, and therefore write thus largely to your Majesty, beseeching you to believe nothing you hear against me or my proceedings in any kind heretofore or hereafter, until you hear my answer thereto, when I hope you shall be assured of my endeavours to do you that faithful service which belongs to my charge, and what may discharge a good conscience. [*Seal with crest and arms. 2 pp.*]

Jan. [25]. 103a. Copy of the same by Robert Read. [3 pp.]

Jan. 25.

Petition of Mrs. Bridget Rosister to the King. At the intercession of the lately deceased mother of Sir Robert Carr, Bart., you were pleased to remove his children from their father and place them with their said grandmother for their safety and preservation, and afterwards, upon advertisement from her of the unwholesomeness of the place and other inconveniences, you thought good at the instance of some persons of quality nearly related to the children to transfer them into the charge of petitioner, who was required to repair with them to Mr. Wilkinson's house in Chelsea, where she has been with them above a month. Forasmuch as Sir Robert is lately gone into the Low Countries without either satisfying their late grandmother or her husband for the children's keep, or settling any means for their maintenance whilst under petitioner's charge, she suggests that by your Majesty's special command some of Sir Robert's rents or lands may be sequestered and settled for a competent allowance for their livelihood, and that present order may be given to the receivers of his rents to pay the same every half year, as also the charge already expended for their maintenance for the time past. Petitioner is most willing and ready to perform the trust committed to her by your Majesty, and to render accompt of all money received by her for that purpose. *Underwritten,*

1. *His Majesty commiserating the unhappy condition of Sir Robert's children, and well remembering upon what grounds he caused them to be removed from their father, as also the promise of Sir Robert, before his mother's jointure fell to him, to allow his wife and children 1,000l. per annum for their maintenance, holds it just and necessary that not only the husband of the late Lady Carr be fully satisfied for the diet and expenses of the children for the time they were with their grandmother, but also that present order be taken for settling a competent allowance, to commence from Christmas last, for their future education and maintenance, out of the rents and lands lately accrued to Sir Robert by the death of his mother. Reference to the Lords referees, formerly*

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appointed, to take present order by way of sequestration or otherwise to settle this allowance in some secure way, and the same to be continued till his Majesty shall see cause to give other order. Whitehall, 25th January 1639[-40]. [Copy. See Book of Petitions, Vol. cccviii., p. 141. = 1½ p.]

Jan. 25.
Whitehall.

104. Minutes of the Council of War. It was this day ordered that Leonard Pinkney, employed as commissary the last summer for victualing the army, shall put in his accompt for that service to one of the auditors of imprest; likewise that Lord Conway, Sir William Uvedale, Sir Jacob Asteley, and Sir Nicholas Byron be required to consider what is the duty and office of a provider or commissary-general of the victuals for an army, and to certify the same to this Council; also that the Master of the Ordnance prepare instructions for John Lanyon, a proofmaster, who is to be forthwith sent into Flanders with patterns for muskets, carbines, and pistols, to see the same made according to pattern, as also certain arms for horse to be well made, and to send them over, which instructions are to be presented on Monday next. Resolved that a commissary is to be a captain of a troop of horse, and besides that pay he shall have 1*l.* 10*s.* per diem. The 50 halberdiers in the list appointed for the Lord-General's guard to be commanded by a captain and lieutenant, the pay of the former to be 1*l.* per diem, and of the latter 5*s.* The Judge-Marshal to be listed by the name of Advocate of the Army, for which Auditor Bingley is to alter the list of entertainments and charge of the army. Resolved that two months' provisions be provided for the army by the end of June next, viz., of meal, corn, butter, cheese, and beer, the same to be laid up in granaries and storehouses at Berwick, Newcastle, and Carlisle, as the Lord-General shall direct. [Notes by Nicholas. 1½ p.]

Jan. 25.

105. The Council of War to Montjoy Earl of Newport. We have enclosed sent you a certificate presented to this Board by Anthony Fereby, purveyor for the Office of the Ordnance, requiring you to call together the rest of the officers and duly to consider of the several particulars expressed in the certificate, and to cause an estimate to be drawn up of the charge of felling, reducing into materials, and bringing into his Majesty's stores so much timber as you shall conceive requisite to be taken for his Majesty's service in that office, and to certify the names of such as you hold fit to be employed in that service, whereupon speedy order may be given that the benefit of this season be not lost. [Draft. 1 p.]

Jan. 25.

106. The Council to the Mayor of Fordwich. There is 10*l.* 0*s.* 4*d.* arrears of ship-money charged upon that town for 1638, which should long since have been paid in to the Sheriff of Kent or the Treasurer of the Navy. We are by his Majesty's order to command you to cause the same to be paid in by the end of Michaelmas term

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next, or else to attend the King and this Board the Sunday following to answer your neglect. *Underwritten,*

106. 1. *The like letter [to be sent] to the Deputy of Beaksbourne, Kent, for 11l. 13s. 4d. [Draft. 1 p.]*

Jan. 25.

107. The Council to [John Whatton], late sheriff of co. Leicester. There being 78*l.* in arrear for the time of your shrievalty which you were required to pay in by the end of Candlemas term next, or else to attend this Board, but understanding that the same is only to be collected by distress, and for other reasons represented in your memorial, we grant your request for the extension of time till the end of Easter term, when we expect you to render a good accompt of that service; and if the bailiffs and other officers should refuse to assist you in recovering the money by distress or otherwise, you are to return their names together with their particular faults, whereupon order shall be taken as may be fit. [*Draft. 1 p.*]

Jan. 25.

108. The Council to [Sir Symons D'Ewes], sheriff of Suffolk. You were by writ of November 1639 required to set forth and furnish a ship of 640 tons, manned with 256 men, and double equipage for six months' service, to be ready at the rendezvous by 1st April next, the cost of which you were advertised by this Board would be 8,000*l.*, and therefore you were directed to assess that sum on the county and corporations according to a scale contained in our instructions, but a latitude was left to you and the head officers of corporations for readjusting these rates as you or they should see cause. We perceive by your petition presented to this Board after the county meeting held at Stowmarket for settling these rates, that the mayors and others then informed you the county had been in three former years charged with the like sum, but then it was for furnishing a ship of 800 tons, and therefore you then did nothing therein, but now you and the mayors desire that there may be only 6,400*l.* assessed and levied on the county, that being agreeable to the former proportion of 1,000*l.* for 100 tons; wherewith his Majesty being made acquainted, we are by his express command to let you know that it having been proved by experience that the former proportion will not defray the charge of setting forth, manning, and furnishing a ship of that burden as required by the writ, which charge has been every year increased through the slow paying in of the moneys required; inasmuch as his Majesty has every year issued out of the Exchequer great sums of money over and above what has been paid by the several counties for defraying the charge of such fleets as have been set forth for guard of the seas, as by the accompts of the officers of the Navy and Ordnance appear, his Majesty, for that reason and upon other considerations, conceived it better to abate the tonnage of the ship required to be set forth by that county than to increase the sum requisite to furnish a ship of 800 tons. Yet some of the head officers of corporations of that county can inform you that the burden of a ship of 640 tons, besides tonnage, is greater than that of a ship of 800 tons, and the

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word *dolium* in the writ signifies ton, and not tons and tonnage. Thus much his Majesty has commanded us to let you understand concerning the reasons of the alteration at which those of the corporations seem to stick, and to let you know that it is his express command that according to the writ you take order that a ship of 640 tons, besides tonnage, fail not to be at the rendezvous at the day prefixed, so manned, victualed and furnished at the charge of that county and its corporations as in the writ prefixed, or else that the full sum of 6,400*l.* be paid in by the 2nd of March next; but in case neither of these orders be complied with, then his Majesty commands that at your peril you fail not to levy on that county the full sum of 8,000*l.* according to your first instructions. His Majesty expects that you fail not in performance of this service so much importing his Majesty's honour and the safety of the kingdom, so we require you to give us from time to time an accompt of your proceedings therein. [*Draft. 3 pp.*]

Jan. 25. 109. The Council to the Sheriff of Sussex. To the same effect as the preceding, except that the ship to be furnished was to be of 400 tons, manned with 160 men, for which 5,000*l.* to be assessed on the county of Sussex. [*Minute. 2 pp.*]

Jan. 25. 110. The Council to the Lord Mayor of London about the observation of Lent, to the same effect as that entered [on the Council register] 29th January 1637-8. [*Minute. 3 lines.*]

Jan. 25. 111. Bond of Samuel Foy, of Whitcombe, Somerset, gentleman, in 50*l.*, conditioned that within 14 days he shall attend the sheriff, and give accompt of what sums he has levied of the ship-money, what he is in arrear, and pay in what he has in hand; also to use his best endeavour in assisting to collect the remainder; then this obligation to be void. [*Seal with arms. 2/3 p.*]

Jan. 25. 112. Another copy of part of the above, being the condition only. [*1/2 p.*]

Jan. 25. 113. The like bond of Nicholas Mayleigh, of Carisbrook, Isle of Wight, with the same condition, 14 days. [*2/3 p.*]

Jan. 25. Minute of the same. [*Written on the same paper as the penultimate.*]

Jan. 25. 114. The like of Joseph Whitchurch, mercer, and Richard Combs, of Frome, Somerset, 10 days. [*3/4 p.*]

Jan. 25. Minute of the same. [*Written on the same paper as No. 112.*]

Jan. 25. 115. Deposition of Alexander Tutt, of Chilbolton, Hants, that he paid to James Hunt, late sheriff of Hants, 43*s.* 6*d.*, by appointment of James Tutt, being due for ship-money.

Jan. 25. 116. [Sec. Windebank to Sir Michael Erneley.] Lord Ettrick, Governor of Edinburgh Castle, has lately acquainted his Majesty with his desire to hold a straight and secret intelligence with you,

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and to make use of your assistance for a supply of men to be conveyed by small numbers and very secretly from Berwick into that castle, which his Majesty liking very well, has commanded me to signify his pleasure to you, to accept and hold such a straight and secret correspondence with the governor as he desires, and to give him all the assistance you shall be able for the sliding of such supplies of men by small numbers into the castle, but this must be done with great caution and secrecy, and you must use the ministry of some dexterous and trusty person herein, and not let the men that are to be sent know the service until they come upon the place. His Majesty will account this a very great service if it can be handsomely effected, and therefore you are to use all care and diligence herein, and to advise with the Lord Ettrick by secret letters how to compass it; so in great haste, desiring you to give me accompt as soon as you can of your proceeding herein, I rest, &c. [*Copy.* 1 p.]

Jan. 25.
Whitehall.

117. Sec. Windebank to Sir Henry Roe, governor, Mr. Edwards, deputy governor, and five of the chief men of the Company of Merchants Adventurers. His Majesty for the procurement of 3,000*l.* behind owing by Rotterdam, having granted a new proclamation and divers privy seals on the petition of the above company, and having received an account from Mr. Misselden of some probable means to recover the same as he did the former sum, it is his Majesty's pleasure that you, the governor, and others of the company to whom he has imparted the service in a private way, do confer with Mr. Misselden, and give him encouragement to proceed therein, or else to take such course for the same, as his Majesty may expect the money at the Company's hands. [*Copy.* $\frac{1}{2}$ p.]

Jan. 25.

118. Certificate delivered by Lord Conway, Sir James Ashley, and Sir Nicholas Byron, stating the most approved size and pattern for carabines, pistols, and swords. We find that a carabine of $2\frac{1}{2}$ feet, with a firelock, shooting a bullet of 18 in the pound, is best for service and most in use. *In margin*: "This is approved of." Similar particulars for pistols and swords. [1 p.]

Jan. 25.
Richmond.

119. Nicholas Byrd to Mr. Rille [William Ryley], one of the Heralds. I desire you to stop those fees that belong to the buttry, due from the Lord Lieutenant of Ireland, by reason that those which were due to me from the Prince they received and I never had. [*Seal with arms.* $\frac{2}{3}$ p.]

Jan. 25.

120. Account by Sir William Russell and Henry Vane, Treasurers of the Navy, of ship-money received by virtue of writs of 1638. Total received, 53,460*l.* 13*s.* 8*d.*; leaving 16,289*l.* 6*s.* 4*d.* unpaid. [1 p.]

Jan. 25.

121. Account of ship-money for 1638, levied and remaining in the hands of the sheriffs, total; 910*l.*, making the total levied and paid 54,370*l.* The arrears were as follow: 1635, 4,536*l.*; 1636, 7,049*l.*; 1637, 17,464*l.*; 1638, 16,289*l.*; total, 45,338*l.* [1 p.]

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Jan. 26.

122. Patent of Queen Henrietta Maria containing a grant of the office of Chancellor and Keeper of her Great Seal to Sir John Lambe during pleasure, with the annual fee of 54*l.*, according to your Majesty's warrant dated 24th January 1639-40. [*Draft in Latin* 2 *pp.*]

Jan. 26.

123. Order of Council, his Majesty present, in a question of trade between Robert Black, Esq., about to depart into Barbary for settling of correspondence and commerce, according to treaty with the Emperor of Morocco, and the Barbary merchants. It was ordered that all merchants, his Majesty's subjects, trading for Barbary shall be required to cause all such ships as they shall within three months send for Barbary to go for the first time only to Saphia for the first port, where if they shall not within 20 days find a ready and free market for their commodities, as promised by the Emperor, then they shall be at liberty to go to any other ports on that coast, both on that and all future occasions. After the expiration of three months they are left to a free trade into any part of Barbary; and the ship shortly to depart for Barbary, freighted by the old traders, is to proceed on her voyage accordingly without let or molestation. [*Draft.* 1½ *p.*]

Jan. 26.

124. Certificate of Peter Heywood and two others to the Council, concerning the state of the pavements and highways within the parishes of St. Martin's-in-the-Fields, and St. Margaret's, Westminster. Amongst the names of those returned as delinquents in the parish of St. Martin's are the Earl of Salisbury for not paving near Ivybridge, the Earl of Annandale for the like, James Marquis Hamilton [subsequently erased] for the pavement before Wallingford House, Lady Ann Covell for suffering filth to be thrown in the streets, Sir Edmond Verney, Sir Edward Warder, and Lady Catherine Knowles for not paving. In St. Margaret's parish the pavement in St. Margaret's Lane before the fish-pond, which ought to be amended at his Majesty's charge; the Countess of Essex, Sir Thomas Porter, and Sir Edward Bishop, for not paving, and the pavement before the Ambassador's house in Tuttle Street. We further certify that it appears by the constables' returns, that of late, since the Council order, the pavements have been in most places well repaired, and warrants have been directed to the constables to apprehend such as have not conformed themselves. The pavement from King Street, Westminster, to Charing Cross is very ruinous, but we know not who should see it amended, as also before Somerset House and Essex House. [1 *p.*]

Jan. 26.

125. List made out by Sir John Lambe, Dean of the Arches, "for my good friend Mr. William Dell," of the Doctors admitted to practise as advocates in the Ecclesiastical Courts during the time of Archbishop Laud. The names are grouped as belonging severally to the Universities of Oxford and Cambridge, and distinguished as

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admitted or not yet admitted. Totals, Oxford 13, and Cambridge 10. *Underwritten,*

125. I. *Sir John Lambe, my Lord's Grace is content that you proceed to admit these ten advocates of his courts according to course, for which this shall be your warrant. W. Dell. [1 p.]*

[Jan. 27.] 126. Capt. John Reade, your Majesty's servant, to the King. Your petitioner would put your Majesty in mind of your promise at York, when you commanded him to go for your service into Ireland, which was, that at his return you would either permit him to execute his patent, which by your proclamation you had lately before discharged, or give him some other thing in lieu thereof. Although your petitioner's wants have been great, and that by discharging the execution of the said patent you have taken from him all you ever gave him for 15 years' service and for the loss of his command abroad, yet the consideration he has had of your many and great occasions has made him forbear since his return to importune your Majesty, and would still have done it if some great losses he has lately sustained did not constrain him to it. Petitioner casts himself at your feet, praying your Majesty to take his present necessity into your consideration, and either permit him to execute his patent again, or to supply it by such means as you shall think fit. [$\frac{2}{3}$ p.] *Underwritten,*

126. I. *His Majesty is pleased that the Marquis Hamilton and the Earl of Strafford, Lord Lieutenant of Ireland, shall move him concerning this petitioner, to whom he will declare his pleasure. Whitehall, 27th January 1639-40. Dorso,*

126. II. *Report of the Marquis Hamilton and the Earl of Strafford to the King on the subject of the above petition. According to your reference of the 27th inst. we have spoken with Captain Read, and informed ourselves concerning the patent for marking empty buttercask, and the proceedings thereon had to his prejudice as mentioned in the petition. We find that the execution of this patent was, with divers others, by your proclamation 9th April, suspended without any hearing given to petitioner or any for him. For which reason, and for that petitioner is confident to make it appear that the patent in its execution will be beneficial to the public, we conceive it very fit that you would direct a hearing at the Council Board, to the intent that this business fully understood, and all that can be alleged for the upholding of the patent heard, petitioner may be restored to the execution thereof in the event of its proving beneficial, but if not,*

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then to consider of some other means whereby you may recompense petitioner for the loss of your favour intended to him. 14th February 1639[-40.] [$\frac{3}{4}$ p.]

[Jan. 27.] 127. Copy of the preceding petition, but wanting the reference and report. [$\frac{2}{3}$ p.]

Jan. 27. 128. The Council to the Judges of Assize. We send you a petition of Samuel Foy, late constable of the hundred of Horethorne Somerset, representing that having received a warrant for erecting a beacon, according to the usual manner he gave directions to have the same effected, but finding the country slack in that service petitioner at his own charges hired men, and with his own materials forthwith set up the said beacon and a watch-house to the same, for which the hundred now refuses satisfaction, as you will see by the petition. We recommend the same to your consideration, requiring you at the next assizes for that county to consider of the petition, and take order that Foy be duly satisfied what he shall make appear to have disbursed by virtue of the warrant from the Deputy Lieutenants for that public service. [*Draft.* 2 pp.]

Jan. 27. Petition of Edward Low to the King. Petitioner and his ancestors have enjoyed the manor of Alderwasley and Ashleyhay, with the common adjoining called Millhay and Mitnehayward [all in the parish of Wirksworth, co. Derby], ever since several grants of the same were made by Henry VIII. to his servants Thomas and Anthony Low. The validity of which grants being now questioned on your Majesty's behalf in the Duchy Court of Lancaster, some defect was found in the execution of the livery or seisen of one of these grants in 19 Henry VIII., as appears by two decretal orders of that court. By your Majesty's direction and petitioner's submissive consent the manor and a moiety of the waste was by agreement of the Chancellor and Council of that court settled with petitioner and his heirs, and the other moiety with your Majesty, and accordingly a grant is passed to petitioner under the Duchy seal of the manor, but not of the wastes and commons. For the better assurance thereof, and of Shining Cliff, which petitioner has since compounded for, according to the said decree, he prays order to the Chancellor of the Duchy to prepare a bill for your signature, granting and confirming all the premises, except your moiety, under the Great Seal and Seal of the Duchy to petitioner and his heirs, with such powers and liberties as he and his ancestors have formerly enjoyed. *Underwritten,*

I. *His Majesty is pleased to grant petitioner's request, and that Lord Newburgh, Chancellor of the Duchy, give warrant to prepare a bill as prayed. Whitehall, 27th January 1639[-40].* [*Copy. See Book of Petitions, Vol. cccviii., p. 140.* 1 p.]

Jan. 27. 129. The Council of War to Sir Robert Pye. To draw an order
Whitehall. to Sir John Heydon, Lieutenant of the Ordnance, for issuing the sum of 1,500*l.* to be paid over to Samuel Cordwell, his Majesty's

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gunpowder maker, for his monthly proportion of 20 lasts delivered into the magazine in the Tower for October last, the same to be part of the loan money, and is promised to be repaid out of the first moneys which shall be received by sale of gunpowder; the said sum to be reckoned as part of the 300,000*l.* which by virtue of the said Privy Seal is to be issued to such person, and for such services, as by any three of us shall be appointed. [*Draft. 2 p.*]

Jan. 27.
Whitehall.

130. Notes by Nicholas of Council business. Resolved: That there shall be carried in powder, shot, and match to remain in magazine for the use of his Majesty's army, consisting of 12,000 musketeers, 8,000 pikes, and 2,500 horse, after the rate of 30 round for each musket, and 100 round for all the ordnance that are to go for the use of the army. It is resolved that six round for each musketeer's bandoleers is a competent proportion for the moving army, and 20 round for all the cannon or ordnance to be carried with it. Six round for the bandoleers of 12,000 muskets comes to 20 lasts of powder, and 30 round for the bandoleers of 12,000 musketeers will amount to 100 lasts of powder. Upon debate and consideration it was resolved that there should be sent into the north, for the use of the army, 200 lasts of gunpowder, and 200 tons of match, it being the proportion always observable to send for every last of powder one ton of match, and that there shall be also sent bullets for common muskets proportionable. Sec. Windebank is prayed to write his letters to the Lieutenant-Governor of Berwick to certify particularly and speedily what waggons, harness for cart horses, ordnance, powder, shot, match, and other provisions of munition there are in the stores there, over and above what is for the use of the garrison there. [*1½ p.*]

Jan. 27.

131. Minute of a warrant to Sir William Uvedale to pay to John Reston, keeper of Dover prison, 15*l.* for his pains and charges in keeping and bringing up John Trender [Trendall] from Dover to London. [*¼ p.*]

Jan. 27.

132. Note of appearance of John Scattergood, of Uttoxeter, co. Stafford, but to remain in the messenger's custody till discharged. [*¼ p.*]

Jan. 27.

133. The like of Hugh Williams, late constable of the hundred of Slaughter, co. Gloucester. [*3 lines.*]

Jan. 27.
Holyrood
House.

134. John Earl of Traquair to James Marquis of Hamilton. I hasten to acquaint you with some things which have come to my knowledge since my last. Their [the Covenanters'] correspondence with the Hollanders, and the latter's underhand helping and supplying them, is that which has furnished them all they have of ammunition. They are now sending over to Holland Crowner Cochrane, whom I suppose to be known to you, or, if not, to many at court. The enclosed copy of the bond and instructions which they are now sending throughout the country will demonstrate some of the conclusions of this meeting. The pretext which both

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bear is pretended to be for relieving of bygone charges, but I suppose I know better, that the intention and drift is, that in case these Commissioners bring not home peace, this shall be made a new stock, and the former levies of money to remain still upon bond, and these same persons to stand engaged, who were formerly; and truly if it come in, as is thought, it will make a considerable "Scots" sum as ever has been lifted in this country. Although I might stay here with safety to my person, which I suppose will be granted to all, until the commissioners return, or some answer from them, yet I conceive my being at court, when these commissioners are there, may contribute more to my master's service than anything I can do in this place at this time; and before my parting from this, most of their resolutions shall be taken, whereof I shall do my best to inform myself, notwithstanding that no man is admitted to the committees but upon oath of secrecy, and shall likewise do my best to leave so with some here, that I may hear from hence, so long at least as the course of packet is not interrupted. While this was in writing Lord Ettrick sent me this enclosed, directed to his Majesty, which he desires might be sent with all expedition. I had not seen him since these last informations from court, whereby the people were so animate against me, but finding him most desirous, I was forced to send for the Provost and Bailies and commanded them to attend me thither, which they did upon Saturday, 25th inst. Truly Ettrick is extreme careful and resolute, and if his letter give not satisfaction in what may concern the castle, I shall do it at meeting, as I hope to do in most things which are not so fitting to be entrusted to paper. The justice clerk was gone from this. I sent your letter to him, which, according to the warrant upon the back, I was bold to read, and thereafter sent it to him immediately. I expect himself before my parting. My lord, I shall be sorry to be brought to that necessity that shall need a protection, and without vanity I may say, if the country were in a right order, it would be a very considerable sum would put me to such an extremity; yet this last week my bonds without discharging with me were given to the Registrar for 4,000*l.* sterling; but I thank God for it, it is for my Master's debt, and yet they shall not have that advantage who seek to shame me. Although justice be denied by them, I shall neither have power nor credit, if reason be not offered to them before I turn my back upon this place. I forbear naming the persons who are the occasion of it; when your lordship shall hear their names, yourself will witness their ingratitude to me, although their duty to his Majesty did not require more respect to me at this time. But they shall miss their ends in this, as I hope they shall do in more. P.S.—The report is here that our Secretary [the Earl of Stirling] should be very sick and not like to live. If that place vacate, it is of that consequence as I hope his Majesty will not be hasty in disposing of it to any. [*Copy. 2 $\frac{3}{4}$ pp.*]

Jan. 27.
Auckland.

135. Bishop Morton, of Durham, to Sec. Windebank. I received a letter from the Earl of Northumberland desiring the use of

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Durham House, whereunto I condescended with all alacrity, both because I knew he was eminently gracious in the eye of his Majesty and admirably worthy in himself, else I had been easily prepared to gratify Lord Finch. This being so just an answer I hope will not be ungrateful to his Majesty. I thank you for your former kind respects to me. [*Seal with arms.* 1 p.]

Jan. 27.
Newcastle.

136. Yeldard Alvey, vicar of Newcastle, to Archbishop Neile, of York. I was sent for to appear before the Bishop of Durham, bringing Mr. Stephenson, our former lecturer, along with me. I acquainted the bishop with the occasion of our appearance in a letter, which he answered, because he could not with safety come over, the waters being not then passable; wherefore upon Friday I went to Auckland and exhibited to the bishop a copy of Mr. Stephenson's letter, and desired to know more distinctly what those particulars were which by the King's command I was to make answer to. Enclosed, I present to your Grace both the copy of my answer and Mr. Stephenson's letters, which in one part of my answer I referred to, that for fuller satisfaction he might be heard to speak in his own cause, what the reason and occasion was, why he dimitted his lecture, after he had received my answer in writing. As I was leaving, the bishop made a motion to me about the lectureship, that seeing the person whom the Mayor and Common Council had chosen did not accept of it, they might have free liberty with my consent to choose another, and I understood by some passages in the discourse that he had a mind to recommend one to them, but I replied that his Majesty, it seems, had taken special notice of their disorderly carriage in the former election of a lecturer, and I could not now with safety yield my consent to the election of a new lecturer, till his Majesty's pleasure were further known, how and to whom it should be disposed; only I expressed my ready willingness to undergo the service, and to discharge the place myself, without intimating any terms of condition, and so I was dismissed, and had leave to depart. As touching Mr. Lapthorne I was present at the High Commission when he received his censure, and he was then silenced, fined 50*l.*, and confined to prison for half a year; these were the several branches of his censure. There is one thing which, for want of a distinct explication in my last letters directed to you, I am in a jealous fear was mistaken; for as I hear Sir William Bellasis and Sir John Marley had order to examine Mr. Middleton of his intimacy with Sir John Bohanan, *alias* Buchanan, and not with Sir Walter Riddell, whereas it was with the latter that he and his chaplain kept intimate company while here in Newcastle, and since his chaplain being called to answer at the High Commission is, as Mr. Stephenson informed me, fled into Scotland. I beseech you that the examination of Mr. Middleton be rectified, lest I should be thought to give a wrong information. Sir John Bohanan, *alias* Buchanan, for he was called by both those names, left the town and went towards Scotland upon Saturday was sennight, who during his abode here lay at Mr. Allen's, a notorious puritan's house, and did converse only with

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those of that faction, and to my knowledge he has most intimate acquaintance with the chief Puritans in these northern parts, but for certain I cannot aver that Mr. Middleton did accompany him to view the town walls, though he was seen and observed often to go about them. Dr. Wishart, who was lately placed lecturer here in Dr. Jenison's place by his Majesty's command, says that Sir Walter Riddell reported after he came to Scotland to the grandees of the Covenanters that he knew all the places where they might have easy passage and access into this town, so that it seems he did not walk about the walls as a spectator, but as an observant spy or discoverer. Dr. Jenison, they say, is preparing speedily to go for Holland, to Amsterdam, and Mr. Laphorne being silenced, there is good hope that now the neck of the puritanical faction is broken, if the Bishop of Durham will but have a vigilant eye and keep a strict hand over them, and rightly settle things in this town according to the directions given. I thank you for the care you have had of this town in general, and of me in particular, that I should receive no prejudice in my place. [*Seal with device. 2 pp.*] *Enclosed,*

136. I. *Yeldard Alvey to Bishop Morton, of Durham. You signified to me in your letter that I was speedily to repair to Auckland by his Majesty's express command, there to give satisfaction concerning the election of a new lecturer instead of Mr. Stephenson, our former lecturer, and also to show what exceptions I could take against the proceedings of the Mayor or any other therein; and it was your pleasure likewise, after I came over and had related all matters distinctly by word of mouth, that I should set down the same in writing, which I have here done. The particulars I am charged to give a special account of are only three,—Why Mr. Stephenson relinquished his place? Why I did not allow of the election made by the Mayor and Common Council, or what just exceptions I could take against their proceedings in that election? And whether the lecturer whom they had chosen were a meet and fit man for the discharge of that place? These particulars are then gone into at large. 14th January 1639[-40].*

136. II. *Thomas Stephenson, late lecturer, to Yeldard Alvey, vicar of Newcastle. I understand by your letter that the Bishop of Durham requires my presence at Auckland, on Friday, to signify the reasons of my demitting the lecture at Newcastle. Truly I have no will for such errands; if I had, yet the weather and my present welfare are not convenient for undertaking this journey. The cause in general, as I have acquainted the town, was the want of that comfort and contentment I expected; indeed 'tis so. You know my friends who have been the chief supporters and honour of that place are slighted and*

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contemned ; you may be sensible, if not of the indulgence and encouragement, yet of a connivance equivalent to both, to insolent and factious spirits, and the slender or no respects of such as are opposite hereunto by those whose place and office requires the contrary ; you see how rich they are, for all less needful, I will not say vain occasions, yet utterly indigent and necessitous when they should pay their exhibitions to the clergy ; and do not these things discomfort and discontent you ? Now for the many and notorious incivilities and injuries to myself, as my person, so neither these deem I worthy of public notice. I expect no relief below, neither do I desire nor ever will seek it above. I have withdrawn myself to my poor country cure, where I desire to live in quiet and have leave to look on such as are more able for the public service of the Church, and have shoulders and dispositions to bustle in this tumultuous age. Stamfordham, 23rd January 1639-[40]. Endorsed by Mr. Alvey, "A copy of Mr. Stephenson's letter which was exhibited to my lord." [$\frac{3}{4}$ p.]

Jan. 27.
Westham.

137. Dr. Edward Burton to Dr. Bray, chaplain in ordinary to the Archbishop of Canterbury. I understand by your letter of the 23rd inst. that his Grace expected some particulars of the business I imparted to him before I went out of town. I fancied that I had given him full satisfaction, otherwise I would not have left the city before I had observed the utmost of his commands. When I first attended his Grace, I acquainted him that the Puritan faction was grown strong amongst the justices upon our bench for the eastern part of this county, steered rather by humour and faction than justice, so strong that such as are moderately disposed were not able to withstand it ; that Stapley, Rivers, Baker, Hayes were ringleaders ; that it was grown to that height that Stapley at Michaelmas Sessions last (our churches being well and peaceably composed before) possessed the people in his charge that the altering of the Communion table altarwise was an innovation detracting from God's glory, and that some prelates in this kingdom did not approve of it. The words used on this occasion are then stated, and particulars as to what took place. Mr. White, a justice of the peace, asking Mr. Stapley, after the charge was done, what he meant to meddle with those businesses there, which the bench had nothing to do withal, received answer that he was so pressed by other men to do it that he could not deny them. As for their swaying of temporal affairs in open Sessions their own way, with difference and distinction between other men and those of their own character, it were endless to mention particulars ; we are most sensible of it that see it and feel the burden. If Archbishop [Laud] would be pleased to let Sergeant Foster, who I understand is now a judge, wait upon him, he is able to make a larger relation than I can write, who being a justice heretofore amongst us for the space

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of many years, and but newly gone from us, groaned under the burden of that faction so long that he could no longer endure the country. The town of Lewes as well as the Sessions-house is tainted with them, for at this present, notwithstanding the Earl of Dorset's and Lord Goring's letters and intimations for their creatures to be Parliament men, yet Mr. Stapley and Mr. Rivers have a strong party in the town, and it is much feared they will be chosen burgesses for the town of Lewes. God forbid the greater part of a Parliament should be of their stamp; if so, Lord have mercy upon our Church. God, who knows my heart, knows that it is not the men I except against, but their condition; and it was the peace of the Church and commonwealth that moved me to move his Grace. To be brought forward as an informer against them will cause an implacable cloud of hatred to hang over me not to be undergone, yet what I have either spoken or written I will make good. I hope his Grace will not believe it possible that I should possess him with an untruth; were I guilty of that, I should never desire the happiness to look him in the face again. I received together with your letter another from the Lord Chamberlain commanding me to attend in May next for Dr. Cosin, the Vice-Chancellor of Cambridge. If it may be with the Archbishop's approbation I shall the more cheerfully undertake it. I have waited many years for other men, but never so happy as to wait yet for myself. The last Lord Keeper [Coventry] as soon as he was chosen took instantly a survey of all the justices in every county, and expunged divers without rendering any cause, amongst whom was Mr. Hayes, although since he has scrambled in again. And so may the present Lord Keeper [Finch], if he please, [expurgate the list of justices], a thing done out of course by his predecessors. I confess there being a defect of justices at this time in that division where Dr. Dow lives, and none so fit there for that place as himself, I could heartily wish he were in, that he and I might be assistants one to the other. [*Seal with crest and arms broken.* [2 pp.]

Jan. 27.
Doctors'
Commons.

138. Sir John Lamb to Dr. Richard Holdsworth. I came as your letter was delivered to Archbishop Laud, who having formerly referred the complainants' petition to Dr. F. [Frewen?] and myself, commanded me now to write to you in answer thereof. Finding that Dr. Morrison, your official, had heard the business and advised them to a course therein, we considered that he knew the place [St. Ives] and the present condition of the parishioners, as also of the complainants better than we could do; we therefore referred them to him, being their ordinary, and advised them to be directed by him, for we knew not that which now you write, that all the parishioners, being 800 at least, had with unanimous conformity for almost three years last come up to the rail to receive the Holy Communion, not one excepted. Now as in a case where a whole parish is concerned, and it has ever been their practice to receive otherwise, and perhaps some scruple of mind may also be, a discreet man may see cause to remit some things to avoid scandal and

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distraction; so where both unity and uniformity may be preserved, it is fit the peace of the Church be kept, and that the parties now contending may by fair persuasions be reduced to their wonted manner of receiving; the rather for that you see that their now refusal is not out of any scruple of conscience, but rather upon a humorous disposition to molest the curate and the whole parish. In which way of persuasion, by God's assistance, you may be most likely to do good, for that you know the place and people best, and are their ordinary, and can best direct your own official in your absence. Therefore his Grace refers the whole consideration of the business to yourself, to do therein as you shall find most convenient for the good and peace of the Church. [*Draft in Lamb's hand.* 1 p.]

Jan. 27. 139. Attorney-General Bankes to Nicholas. I desire you to send me copies of the orders concerning those who are committed for ship-money, and instructions against them, for some of them have moved for an Habeas Corpus. [3 lines.]

Jan. 27. 140. William Peacock to [Edward Herbert?]. Bitterly complains that he has been deceived and vilified. It is not unknown to you that I am forced to surrender my own estate, and am like to perish for want. I give you hearty thanks for your promise to move the Lord Chief Justice [of Common Pleas] in my behalf. The matter is upon a point of law to be argued before the judges in that court upon a special verdict touching the title of my land sold to Mr. Hilton. [*Damaged by damp.* 1 p.]

Jan. 27. Patent granted to Sir Edward Littleton, serjeant-at-law, to be
Westminster. his Majesty's Chief Justice of his Court of Common Pleas during pleasure. [*See Case E., No. 17. Strip of parchment.* 8 lines.]

Jan. 27. 141. Estimate by Wm. Legge of the charge of furnishing 21,000 swords with belts, and 3,500 corselets, according to a warrant of the Master of the Ordnance, dated 26th inst. Total, 14,875*l.* [$\frac{1}{2}$ p.]

Jan. 27. 142. Bill of goods supplied by Thomas Abbott [haberdasher] to Edward Nicholas. Total, 6*l.* 18*s.* 9*d.* [$\frac{1}{4}$ p.]

Jan. 27. 143. Notes by Nicholas taken at sittings of the Council and Council of War held during the months of January, February, March, and April 1640. The days to which these notes refer are the 27th and 30th of January; the 1st, 3rd, 6th, 8th, 10th, 12th, 14th, 15th, 20th, 22nd, 24th, and 27th of February; the 2nd, 3rd, 9th, 10th, 14th, 16th, 19th, 21st, 24th, 26th, 30th, 31st of March, and the 9th and 18th of April, on only two of which occasions, viz., 24th and 30th March, the King appears to have been present. Many of the matters noticed will appear in other entries in this calendar. [92 pp.]

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- Jan. 28. Grant to Henry Massingberd, Esq., and his wife of the benefit of the outlawry of Thomas Harrington, till such time as satisfaction be made of 120*l.* debt, besides costs of suit, due by the latter to the former. [*Docquet.*]
- Jan. 28. Grant of the office of Treasurer of his Majesty's Chamber, with the fees belonging thereto, to Sir Edward Griffin, one of the gentlemen of the Privy Chamber, in reversion after Sir William Uvedale [*Docquet.*]
- Jan. 28. Warrant to the Exchequer, and to the Master and Receiver of the Court of Wards, to pay to Edward Manning 1,000*l.* for perfecting of divers things necessary about the New River from Longford to Hampton Court, and laying dry of Hampton Court house and the lodgings there, with the sluices, flood-gates, &c. thought needful by the commissioners for that river; together with the money already disbursed by him upon former works for that river, and not satisfied upon his last accompt. [*Docquet.*]
- Jan. 28. Petition of Alexander Gill, D.D., to the King. Your poor subject being, through your royal grace and favour, chosen master of Paul's School, London, by the Company of Mercers, has continued there above four years, during which time he has discharged his duty in educating the scholars in piety, conformity, good manners, and good literature, to the approval of the Mercers Society and other learned men intrusted by them to inquire and judge of his endeavours therein. Until of late your poor subject having good cause to believe that a great part of the revenues of the school is not employed according to the founder's intention, and having sometimes expressed his desire "that there might be fair play above board, that the school might know its own, and have its own," the feoffees are so incensed against your poor subject, that upon the unjust complaint of a lying, thieving boy, your poor subject's scholar and servant, whom they (to the spurning down of authority and discipline) have maintained against his lawful teacher and master, they have picked a quarrel against your poor subject, and, contrary to the founder's statute, at an unlawful time, in an unlawful place, without any just cause proved, have warned your poor subject to depart the school, he having no other livelihood in the world. Prays the King of his princely clemency to give order for the school's and your poor subject's relief herein. *Whitehall, 28th January 1639[–40].* [*Copy. See Book of Petitions, Vol. cccviii., p. 143. 1 p.*]
- Jan. 28. Petition of Peter and Baldwin Matthews, thread makers, to the King. Petitioners were born in the city of London, and have always lived as your liege and true-born subjects, but being the sons of a denizen and not naturalized are debarred from that freedom in the customs of their goods which other your subjects, Englishmen, enjoy, by reason whereof they are much disheartened in their trade, and divers poor men whom they could set on work suffer for want of employment. Pray the King to grant them the [like] privilege

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under the Great Seal, that they may be encouraged to extend their trade, to the increase of your customs, the good of themselves and other poor men. *Underwritten,*

1. *Reference to the Lord Treasurer, who is to consult with the farmers of the customs, and certify his opinion to his Majesty, who will then signify his further pleasure. Whitehall, 28th January 1639[-40]. [Copy. See Book of Petitions, Vol. ccciii., p. 144. $\frac{3}{4}$ p.]*

Jan. 28.

1. Minute of appearance of Thomas Pentiloe and Francis Freeman before the Council, They are to remain in custody of the Sergeant-at-Arms until discharged by the Lords. [4 lines.]

[Jan. 28.]

2. Petition of Peter and Baldwin Matthews, sons of Baldwin Matthews, denizen of London, to the King. Their father not having been naturalized they are debarred of that freedom and privilege which other subjects enjoy, to the great discouragement of their trade of merchandise. Pray special license granting them the like privileges. [$\frac{1}{2}$ p.]

Jan. 28.

Drury Lane.

3. [Sec. Windebank] to Sir Michael Ernele. I acquainted his Majesty with your letters of the 22nd inst., who told me that most of your advertisements had been confirmed to him from another hand in Scotland. The King is very well satisfied with your resolution and courage, and to find that as you little regard the brags of the Covenanters, so you slacken not your care and vigilance in your charge. If the 500 men lately come to you from Northumberland and the bishopric of Durham be so inexperienced in the use of arms, and their arms so unserviceable, his Majesty expects that by exercising the men you shall enable them, and likewise cause the arms to be made complete. The alteration of officers, so much discoursed of there, is but a mere discourse, and so you must let them know. Only his Majesty purposes to change the Governor, and to bestow that place upon Sir John Conyers, who is yet in the Low Countries, but is expected here very shortly. In my last I signified his Majesty's pleasure to you to hold a straight and secret intelligence with the Governor of Edinburgh Castle for the supplying of that place with some men by small numbers and by stealth; you are now to understand that his Majesty has lately sent to Edinburgh by sea under the command of Captain Shipman, and in a ship of his commanded by Captain Slingsby, 100 men for the reinforcement of the garrison in the Castle there, and likewise a good proportion of ammunition and arms, together with some money to pay the garrison. This the King has done openly and avowedly, and to that purpose given commandment by his special letters to the Provost and magistrates of Edinburgh to suffer the men and ammunition to be landed and conveyed quietly into the Castle, as they will answer the contrary upon peril of being punished as traitors. But in case this service shall be opposed by those of the town, his Majesty has given order to Slingsby and Shipman to land the men at Berwick, to be disposed by you in the garrison

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there, and the ammunition to be put into the magazine, and the money to be paid to Mr Payler, the paymaster with you, and to be put upon his accompt, all which you are to see performed accordingly. I am likewise commanded to require you to certify me speedily what waggons, harness for cart-horses, ordnance, powder, shot, match, and other provisions of ammunition there are in the stores at Berwick, over and above what is for the use of the garrison there. I have lately received letters of the 22nd January from Capt. Lloyd and Mr. Payler, for which I desire you to thank them from me, and to make my excuses to them that I have not leisure to write to them myself at this time. All Capt. Lloyd's former letters I answered by mine of 21st present, and so I did such as I received from Mr. Payler, so that I have little to reply to this last of his, but that I have acquainted his Majesty with it, who likes very well the account he has given of the works there, and much approves his diligence. He is to advise with you in all those services, as you will understand by mine of the 21st. For Mr. Payler he will likewise have understood by mine of that date what he is to do concerning the Earl of Lindsey's corn, and that his Majesty will have his vended first, which course he must observe. You may assure him that the Earl of Lindsey has left the government. P.S.—You are to receive herewith a warrant from the Lords to Capt. Lloyd for taking up workmen for his Majesty's service there. [*Copy. 3 pp.*]

Jan. 28.
Barbican.

4. John Earl of Bridgewater to Sec. Windebank. Such is my zeal and affection to his Majesty's service that I desire by all means possible to express the same, and because I conceive by discourse with yourself that the expedition in this present occasion of the loan is considerable, as well as the sum lent, I have thought fit to send these lines to you, to let you know that I seriously and earnestly endeavoured, both before and since your being here last, to furnish myself with money for that purpose, and did, as I told you at your being here, expect to have heard, as yesterday, of some considerable sum to have been provided for me, to satisfy his Majesty's expectation and my desire that way, but am altogether disappointed thereof; and therefore because you told me that the money should be provided for me if I would lend my credit, I desire you now to let me know where and when I shall have money provided, that I may give security for it, which I am ready to do by engaging of lands, for other security I cannot give. As by your discourse and friendly advice I find the sum formerly by me mentioned to be thought too little I shall advance it to 10,000*l.*, only I desire to hear from you what time I may expect repayment, that I may accordingly dispose of my estate for payment of my debts and provision for my children. For the matter of assignment I apply myself to the Lord Treasurer. Thus may you perceive that though I be lame and infirm, yet I am sound in and towards my master's service, which I hope you may take notice of. [*Seal with crest. 1 p.*]

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Jan. 28.
Whitehall.

5. Sir Robert Killigrew to Sec. Windebank. His Majesty's direction was that you should signify his pleasure to the Attorney-General for prosecuting the suit depending in the Exchequer, concerning the fourth part of the 800 or Holland fen, without any further treaty or agreements with the country. Likewise that Mr. Attorney should draw a grant of the remainder of the 800 fen (which Mr. Lockton shall not recover) to his servants, Sir Robert Killigrew and George Kirk, according to their petition, they being willing to try his Majesty's title at their own charge, so as Mr. Attorney will really give them his best assistance, which his Majesty doubts not of, because a great profit will thereby accrue to his Majesty. [$\frac{3}{4}$ p.]

Jan. [28].
Newcastle.

6. Lionell Maddisonne to Sir Henry Vane, Treasurer of the Household. Before Mr. Shafto's departure for London I had some speech with him about particulars for assurances to be made betwixt us. I shall endeavour to give you content, but how all things can be fully perfected and the marriage consummated afore Shrovetide, as you write, because of your son's desire, I must refer you back to Mr. Shafto to know what can be done therein, and we shall willingly observe your directions. [*Seal with arms.* 1 p.]

Jan. 28.

7. Petition of Baptist Watts, mariner, to Archbishop Laud. Complains that he has been very much oppressed by means of suit in law against his wife, whilst absent at sea, by Margaret, wife of Henry Backett, fisherman. The suit now depending in the Arches Court for a year and a half has consumed his whole estate, so that his family are likely to perish. His wife stands at present excommunicated upon a mere pretence that the charges of suit are unsatisfied, whereas petitioner has paid the same, and the excommunication touches her so near that it aggravates her sickness, and may endanger her life. Prays the Archbishop upon his bended knees to grant an absolution gratis to his wife, that she may be received again into the Church, and that all matters of suit may cease between Margaret Backett and petitioner's wife, or else that petitioner may be admitted to sue *in forma pauperis* for his wife's defence, he being not able to support the livelihood of himself and family, much less to wage suit in law. *Underwritten,*

7. 1. *I desire Sir John Lambe to consider of this petition, and if the offence be not very great to take order for the party's absolution as is here prayed. W. Cant. 28th January 1639[-40].* [$\frac{3}{4}$ p.]

Jan. 28.

8. Deposition of Isaac Bennett and Thomas Brewer that the 12th December last William Banks having a horse taken for the King's service by John Castlon, post for London, did then revile deponents for letting his horse go for that service, and then withal used these words, saying that he scorned to keep a horse to go upon the King or Queen's service, and further gave order to deponents that they should not receive again his horse when he should be returned from that service. [$\frac{1}{2}$ p.]

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Jan. 28.
Antwerp.

9. Report furnished by Sir Job Harby what arms may be provided at Liége by Arthur Winscomb at Antwerp. A musket or caliver with a bandoleer can be supplied at 2 rixdollars; a pike, harness, head-piece, and neck-piece, as Hollanders use, at 2 rixdollars, the dollar being near 5s. sterling. The dealer [at Antwerp] has in readiness arms for 2,000 horse and 1,000 foot, not yet sold nor promised. He can supply arms for 3,000 or 4,000 foot soldiers per month, or 10,000 in three months. For the transport of them out of this country it will be necessary to have license from this Prince; they may go by water from Brussels to Dunkirk in 14 days through Flanders. This is what I have learned of the chief dealer in these arms, a dweller in Liége, but will inform myself of others; the troubles of Liége are a hindrance to the transportation, but the seller must provide for that per advice. Last year Sir Balthazar Gerbier had contracted for some arms, and thought I should have furnished the money, but having no order I think the business went not forward; what price was then made I know not. The party is contented to deliver beforehand one or two of each sort [of arm] for a muster or pattern, of which goodness he would deliver the rest per advice; and I think to get each sort a rixdollar cheaper than is noted in contra. [*Copy.* 1 p.]

Jan. 28.

10. Account of anticipations of revenue as they now stand charged upon future receipts of income. Total, 221,763*l.* 4*s.* 11½*d.* The profits of the alum works are anticipated till Christmas 1645, and the wine licenses until Christmas 1651. [3½ pp.]

Jan. 29.

Grant to Edward Nicholas, one of the Clerks of the Council, of a pension of 200*l.* per annum during pleasure, to be paid out of the office of Alienations quarterly, to begin from Lady Day next; with a further warrant to the Exchequer to give order to the Registrar of the Admiralty to pay out of the money remaining in his hands 200*l.* to Edward Nicholas, as a free gift in consideration of service. [*Docquet.*]

Jan. 29.

Letter to Sir William Armyne, Sheriff of Hunts, dispensing with his absence out of the county at some times during his shrievalty [*Docquet.*]

Jan. 29.

A like to the Mercers' Company to admit George Sidersiffe [Sydeserf?] into the lecturer's place at Berwick, *vice* John Jemmett, who, by his Majesty's direction is forbidden to preach there any more. [*Docquet.*]

Jan. 29.

Grant to Peter Ball, Attorney-General to the Queen, to be one of his Majesty's counsel learned in the law, during pleasure, *vice* Edward Herbert, now Solicitor-General. [*Docquet.*]

Jan. 29.
Whitehall.

11. Order of Council. Upon consideration this day taken of the arrears of ship-money in divers counties, and of abuses by sheriffs, collectors, bailiffs, and others in detaining the money collected for that service, without employing the same according to

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the tenor of the writs, or answering it to the Treasurer of the Navy, it was ordered, his Majesty present in Council, that the Attorney-General, with the assistance of some of his Majesty's learned counsel, should consider of fitting commissions to be presently issued and sent into the several counties where abuses have been committed in the collecting of ship-money and detaining the same, and where any sums are still in arrear, to inquire what assessments, collections, and levies have been made for that service, and by whom, and what collectors, bailiffs, or others have not paid to the sheriff, and what sheriff has not paid to the Treasurers of the Navy in due time such sums as have been collected. [*Copy.* $\frac{1}{2}$ p.]

Jan. 29. 12. Draft of the same.

Jan. 29.
Whitehall.

13. Order of Council. This day, his Majesty present, there was presented to the Board by Edward Ayscough and Anthony Wither, commissioners for the alum business, a certificate [as annexed], whereupon it was ordered that the commission and certificate shall be returned by the said commissioners into Chancery, and the Attorney-General to consider of the certificate and examine the same with the proofs that the commissioners have to aver and make good the particulars therein expressed, and having thereupon caused one of his Majesty's auditors to cast up the accompt of that business, to certify the Board what shall be held fit to be done therein. [*Draft.* 1 p.] *Annexed,*

13. I. *Certificate by Edward Ayscough and Anthony Wither above referred to. The commission is to inquire how his Majesty or King James have been dealt withal by the late alum farmers in the years 1609-1612, and which of their alum creditors are yet unsatisfied.* [1 p.]

Jan. 29.

14. The like. By an order of the 4th May 1638 the matters in difference between the President and College of Physicians and the Apothecaries of London were again referred to the Lords, the judges, and other referees. The apothecaries by their petition show that the Lords called both parties on the 30th, and arranged certain points, but referred others to a future debate; since that time they have heard no further thereof till a certificate in November last was presented to the Board, to which they have made their particular exceptions. Their grievances are such and of so great importance to his Majesty's subjects in general, and to their trade in particular, that they will be forced to shut up their shops unless they may receive redress therein. Ordered that Sir William Beecher and Edward Nicholas, clerks of the Council, shall call the physicians and apothecaries before them, and having consideration to the former decision of the referees, and the exceptions and grievances presented by the apothecaries, shall end the dispute if they can by a fair and amicable way, or else to return a certificate to the Board how they find the same, whereupon the Lords will take such further order as shall be fit. [*Draft.* 1 p.]

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Jan. 29.

15. Order of Council. Jeremy Browning, of Maldon, Essex, by his petition complained that Thomas Horth, notwithstanding the Lords were pleased to dismiss him upon paying for the increase of the salt that he had refined, detained petitioner a week after and compelled him to give a note for the payment of 10*l.* for the year past. Ordered that the Clerk of the Council should deliver a copy of the petition to Horth, after which both parties to attend the Lords on the 17th of February next, for the hearing of their cause. [*Draft.* $\frac{2}{3}$ p.]

Jan. 29.

16. The like. Richard Lloyde, of the Inner Temple, having complained to the Board of Nicholas Marshall, armourer, for selling him bad and defective arms, when he was to attend his Majesty into the north, the Lords upon the 29th of September last referred the examination thereof to the Earl of Newport, Master of the Ordnance, whose report to the Board is herein quoted. Ordered that the Earl of Newport call both parties before him, and set down what satisfaction Marshall shall give to Lloyde, which if the former refuse to perform, then to stand committed to the Fleet prison, there to remain till further order from this Board. The warden of the Fleet is to take notice and govern himself accordingly. [*Draft.* 1 p.]

Jan. 29.

17. The like. The answer of Alderman Abell and the rest of the farmers of the 40*s.* duty on wines to the petition of the Spanish merchants, presented 13th December last, being read at the Board, it was ordered that the same be given to the Spanish merchants, and they required to meet together and make their objections or reply to the same in writing, which being presented to the Board the Lords will give such further order as shall be fit. [*Draft.* $\frac{1}{2}$ p.]

Jan. 29.

18. Minute of a pass for John Ghule, a German, to return into the Low Countries, taking with him his wife, two children, a maid, and his household stuff. [$\frac{1}{3}$ p.]

Jan. 29.

Berwick.

19. Sir Michael Ernle to Sec. Windebank. According to your command I have advised with Captain Floyd [Lloyd] and Mr. Payler, and we purpose to contract for some small parcel of the works by the rod, and if we find it substantial and advantageous for his Majesty's service, we will continue the contract, otherwise reduce the labourers to the same allowance they were at before. We conceive it is very necessary that a slight breastwork, only musket proof, be made, which for the present will be a great shelter for the soldier and no impediment to the intended fortification. I purpose to set out every captain his particular share, and to have it done without any charge to his Majesty, it being for their general safety if occasion should be offered. We conceive that 100 men at the least were very necessary at Hexham, and I suppose that one company of the dragoons, which I conceive to be now in the King's pay, may supply that place; two squadrons of the company may be in the bigger tower, and the third in the lesser, and if it be not convenient

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that one particular company should remain constantly there, they may be relieved as their commander-in-chief shall think fit. Norham Castle is for the present unfit to receive any men; we intend to view it and send you an estimate, and then desire your instructions, for it is very fit that 40 or 50 men were put into that place. I understand by your letter to Captain Floyd that it is intended some horse shall be sent hither, which if the times continue troublesome would be very necessary. I have received your letter of the 25th. I will send to General Riven [Ruthven, Lord Ettrick], and desire his opinion, and then use all the means that can be for effecting your commands. I conceive the greatest difficulty will be in getting the men; I could find ways enough to send them thither [to Edinburgh]. As soon as I have Lord Ettrick's opinion I will use my utmost endeavour. I have nothing else to trouble you with. [*Seal with arms. 1 p.*]

Jan. 29.
Berwick.

20. Capt. Charles Lloyd to Sec. Windebank. I have received his Majesty's gracious favour in your last letter, and shall strive to be thankful. I shall ever acknowledge my obligation to be commanded when your leisure shall call. I believe the joint letter from Sir Michael Ernle will satisfy you, therefore I need not reiterate. I shall continue in my former propositions till such time as you order me to the contrary. In my last letter I largely discoursed of my intentions. His Majesty's confirmation I shall humbly desire.—P.S. Godman, my principal workmaster, has fallen sick. The fittest man I know of to supply his place is Mr. Heath, who was here before. They have all pensions, and I see no reason but they may do part of duty by his Majesty's command. [*Seal broken. 1 p.*]

Jan. 29.
Berwick.

21. George Payler to Sec. Windebank. I received your instructions concerning the entertainment payable to the five companies newly added to this garrison; they had commission to march hither with 500 men, besides officers, but Sir Michael Ernle has caused them to be reduced to 500, including officers, for that there may be equality in each several company belonging to the captains in this garrison. It is true that the Earl of Lindsey has importuned me to discount for the proportion of corn which was added by his appointment to his Majesty's store, but notwithstanding his express command I have deferred to satisfy him herein until I had your resolution, in pursuance whereof I shall now with confidence divert his expectation, and be accountable to his Majesty for that proportion of 160 quarters as part of his Majesty's store here. The report of his Lordship's remove from hence causes some distraction, and an assured resolution therein will be very satisfactory, especially to those whom it most concerns. What you wrote to me in your last letter was communicated to Sir Michael Ernle and Capt. Lloyd, who have advised together and declared their opinions in such things as most concern his Majesty's affairs here, the which they have addressed to you. For my part it is my whole endeavour with diligence to serve his Majesty. [*1 p.*]

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Jan. 29. 22. Sir William Russell to [Richard] Harvey, at Mr. Porter's house over against the Exchange. As I am now in course of physic James Street, I pray you favour me by calling at my house, having something to Covent Garden. say to you concerning a debt due from Mr. Porter. I desire your speedy answer because I am on Friday next to put in my bill into the Court of Requests, which I am very unwilling to do if I may receive but any reasonable satisfaction. [$\frac{2}{3}$ p.]

Jan. 29. 23. George Halden to his cousin, James Colvill, brother to the [Edinburgh?] Laird of Cleish. Having the happy occasion of our good cousin John Halden, to whom in your name I have made my repentance, I pray you to accept my penitence for past neglects. I cannot omit to remember heartily my love and service to you with a "Scotie token frome a Scotie man." [$\frac{1}{2}$ p.]

Jan. 29. John Lesley, Earl of Rothes, to Philip Earl of Pembroke and Edinburgh. Montgomery, Lord Chamberlain. I have large encouragements to use freedom, both from your own favours to me, and my affection to your lordship, and so might expostulate for withdrawing your wonted and even lately expressed, respects at the camp to this nation. You found we had reason for our lawful defence, and that we had loyal hearts to our Prince, and justice in all our desires, which moved you to plead for us, and so engaged the affections of many to you; but since, when Lord Traquair made his relation that moved hard conclusions against us, not requiring so much as that it should not obtain truth, to the prejudice of a whole nation, till we were heard; and agreeing that an army should be levied, and lending moneys hath much grieved us, to be disappointed of one we so much trusted, I have therefore made bold to entreat that we may keep better correspondence, or else by mistake we may be brought again to begin a mischief that will not end in our days. As we have formerly declined it, so shall it not be our fault. And it lies in your lordship and other great persons to prevent these evils. You have lived in all great ease, [peace] and plenty [for many years] as any nation in the world, and if you like to interrupt your own happiness for the pleasure of some prelates who will share little in the hardship and dangers that will be endured, you are not well advised. The Earl of Dunfermline and Lord Loudoun are sent with full information of our business; they will wait upon your lordship and expect your wonted assistance. They all, as much as may be, decline war, except you will now needs have it. We hope your lordship and others will make use of these reasons for the right end, which will fix a great deal of obligation from both nations on you, and shall infinitely increase my respect; desiring to continue your lordship's most humble servant. Rothes. [*Copy written on the same paper as the Lord Chamberlain's answer of 8th March 1639[-40]. See Vol. cccclviii., No. 54. 1 p.*]

Jan. 29. Another copy by Nicholas, but damaged. [*See Ibid., No. 55. 1 p.*]

Jan. 30. Notes by Nicholas of Council business. Resolved that Sir William Whitehall. Uvedall, Treasurer-at-Wars, shall cast up what the half-pay of the

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officers of one regiment of foot, from the colonel to the sergeant, will come to a month, whereupon the Lords will consider whether it may not be fit to entertain some of each of those officers with half-pay till the foot shall be raised. That all the troops of horse to be raised for Berwick and Carlisle shall be raised at the captains' charge, because they are to stand and to continue. It was propounded that the captains should render an accompt of the charge of raising each troop to the Council of War or Governor of Berwick, so that the succeeding captains might contribute to this charge. Declared to be fit that when a trooper's horse shall be killed in service the cavalry of that regiment shall pay for another. Ordered that I shall certify that Sir Nicholas Byron is one of the Council of War, and to attend the Council *de die in diem* for his Majesty's service. [*Written on the same paper as Vol. cccclii., No. 130. = 1½ p.*]

Jan. 30.
Whitehall.

24. Notes by Nicholas of Council business. Certificate that Sir Nicholas Byron is one of the Council of War lately appointed under the Great Seal. Warrant to Sir Robert Pye to pay to John Crane, surveyor of marine victuals, by way of imprest upon accompt, 12,000*l.* in part of 22,825*l.* 18*s.* 8*d.*, expressed in an estimate for victualing 20 of his Majesty's ships and pinnaces appointed to be set forth for service at sea, this sum to be issued out of the money lent to his Majesty by the nobility and others, and is to be repaid out of the ship-money when received. Warrant for payment to Sir John Heydon, Lieutenant of the Ordnance, 5,040*l.* for emptions for furnishing 20 of his Majesty's ships and pinnaces. [1 *p.*]

Jan. 30.

25. Notes by Nicholas of business transacted at the Council of War this day. Since the last account given his Majesty the Lords of the Council have taken order for buying 7,000 muskets with bandoleers and rests, and 2,520 corselets; arms for horsemen, viz., for 500 cuirassiers and for 1,500 carabineers, the fore-part of both sorts to be pistol proof, which arms are to be bought in Flanders, and order is given to one of his Majesty's proof-masters to carry over with him patterns of muskets, pistols, and carabines, and to see that all the said arms be made good and sufficient for service according to the patterns, for which service the proof-master is allowed 10*s.* per diem. Order is given to the Master of the Ordnance to complete all the arms for horse and foot which are in his Majesty's stores, and for present making of 8,000 muskets and as many bandoleers, each of the latter to contain half an ounce of powder and no more, that proportion being certified to be most serviceable in ease of the musketeer, and as effective as the former proportion. Order is also given for making here in England 3,500 corselets, 21,000 swords, and 2,520 pikes. The Master of the Ordnance to certify the number of saddles in store, and what number the saddlers here will undertake to deliver monthly into his Majesty's magazine. Resolved that a commissary-general of victuals shall be captain of a troop of horse, and shall have likewise for pay 1*l.* 10*s.* per diem. That there shall be two months' provision of victuals, viz., of meal, corn, butter, cheese, and beer, laid in magazines beforehand for the army at

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Berwick, Newcastle, and Carlisle as the Lord-General shall direct. Resolved that there shall be carried in powder, shot, and match to remain in magazine for the use of the army, consisting of 12,000 musketeers and 8,000 pikes, and of 2,500 horse, after the rate of 30 rounds for each musketeer's bandoleers, and 100 rounds for all the ordnance to be carried for use of the army, but for the moving army there shall be carried only 6 rounds for each musketeer's bandoleers, and 20 rounds for all the cannon or ordnance to go with the army. Order for Mr. Fletcher, a merchant, to provide 50 tons of foreign match, and to make as much English match as he can. Resolved that officers of foot, certified by the Lord-General as fit to be entertained, shall have half-pay from the time of such certificate, and that the treasurer of the army shall pay them accordingly. Sec. Windebank to move his Majesty for Mr. Wemys, the master-gunner of England, and to give him his Majesty's command that he serve in the present army for the same pay he was listed to serve the last year. The train of artillery is settled and ordered to be drawn up by the Office of Ordnance. Resolved that all pistols made in future shall be 18 inches long, with a bore of 28 bullets to the pound. Ordered that 478 waggons shall be provided for the officers besides those for the train of artillery. Sir Nicholas Byron to go into the Low Countries and to bring thence 100 sergeants and corporals. Tents to be provided for the soldiers, each to cost 1*l.* 5*s.* and to accommodate four. Sir Nicholas Byron and Sir Thomas Lucas to provide in the Low Countries 500 saddles. Capt. Legg is appointed storekeeper at Hull with two clerks, an armourer, and a gunsmith to aid him. Order given to take up all the granaries, storehouses, ovens, and brewhouses that may be made useful for the King's service, and to put the same in repair. Resolved that there shall be appointed 100 cuirassiers and 60 carabineers for the Lord-General's horse guard; also that the horse to be raised for Berwick and Carlisle shall be paid as soon as they shall bring 40 of their troop of 60 horse to the rendezvous to be appointed by the Lord-General, and that they shall be there listed and mustered. [2 $\frac{3}{4}$ pp.]

Jan. 30. 26. John Crane to the Council. By order of 3rd November 1639 it was directed that I should receive timely payment of 8,594*l.* 6*s.* 4*d.*, due in May last, but of which I have as yet had only 4,000*l.* The want of the rest has disabled me from making provision for the ships his Majesty intends should be set to sea. I desire order for payment of 22,825*l.* 18*s.* 8*d.* expressed in the estimate for this present year's service for 20 of his Majesty's ships, otherwise I shall not be able to provide victuals in time to put the same aboard. [1 p.]

Jan. 30. 27. Certificate of William Joyce, mayor of New Sarum, to the Council. As directed by his Majesty's writ of 18th November 1639 I have assessed upon the inhabitants and landholders within the city of Sarum 192*l.*, mentioned in the instructions to be collected and levied within the wards of the three parishes of this city, towards the provision of a ship of 560 tons. The clergymen of the said

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parishes pay only for their ecclesiastical possessions, viz., Peter Thatcher, of the parish of St Edmonds, 4s.; William Buckner, of the parish of St. Thomas, 4s.; Anthony Ellary, of St. Martin's, 4s. [$\frac{2}{3}$ p.]

Jan. 30.
Barbican.

28. John Earl of Bridgewater to Sec. Windebank. I do and will use my best endeavours to procure money for the expression of the desire I have to serve his Majesty with my best power and affection, but I doubt that my credit is at this time able to take up so great a sum as the 5,000*l.* which in your letter you take notice of to have been by me designed for this service, for as yet I am short of more than one half. I wish I were able without troubling you to supply the whole, but fear I cannot. If, as you promised, you could direct me to any persons who, upon engagement of lands, will furnish me with money, I shall apply myself to them, and offer security in land for their repayment. For the time of the repayment of myself and the assignments for my security I will advise with the Lord Treasurer. [*Seal broken.* $1\frac{1}{8}$ p.]

Jan. 30.
Raby Castle.

29. William Conyers to Sir Henry Vane, Treasurer of the Household. Misstatements about an acre of land which goes with Snotorton [Snetterton?]. Some of these lands belonged to John Eubank. [*Seal with device.* $\frac{2}{3}$ p.]

Jan. 30.
Queen Street.

30. Thomas Smith to [Sir John Pennington]. Congratulates him on having escaped the storm and returned into the Downs. I thank you for the good news of the Lucy's coming home, and heartily wish that there were anything in her worthy of your acceptance. I perceive it will be your lot to fetch over the Spanish ambassador from Dunkirk, though I hear he will not come over so suddenly as was expected. I should be loath to have you receive an affront at Dunkirk, and think it sufficient the Bonaventure were sent to transport the Spanish ambassador. The Lord High Admiral has received news that Van Tromp is before Dunkirk with 48 sail, but how true 'tis we know not. If Tromp be there, peradventure they will not be so forward to meddle with you. There is, I believe, an intention of taking into consideration the great inconvenience and prejudice redounding to his Majesty by the delay used in the Office of the Ordnance whenever there is need of ammunition for the ships of the fleet, as also some extraordinary expenses in their delivering up of the remains of powder, &c., so that it may happen the managing of that affair may be reduced to an ancient custom of having an Ordnance Office in the Navy for as much as concerns the fleet. If such should be the case a Master of the Ordnance must be appointed, and if I find it worthy of your [acceptance], as it will be if it were settled as it has been formerly, I will acquaint you with it and be your servant therein. It will be a good settlement and retirement for you in your honourable age when you shall leave the stormy seas, but of this as yet not one word by any means. I will give advertisement to you thereof as it proceeds. Sir John Hippisley has prevailed on the Lord High Admiral to write for him to be

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burgess for Dover, and I am commanded to write to you to use your power to get voices for him in Dover. I am confident it will be to no purpose, and that Captain Percival will tell you, but to satisfy him I have thought fit to acquaint you therewith, leaving the management thereof to your discretion. P.S.—There is warrant gone even now to the principal officers to make ready and send away a supply of victuals to you and those with you, sufficient to serve till the middle of April next. [4 pp.]

Jan. 30.
Drury Lane.

31. Robert Read to [Thomas Windebank]. Our complaint here is the same with yours on that side, that the posts are in disorder. Now that the French ambassador is arrived there, I hope you will shortly receive some resolution in your business. Methinks his departure hence was somewhat sudden and strange, but the pretence was that they hastened him home with all expedition because no business concerning England could go forward before his arrival in that court. Having occasion to go to Sec. Coke this afternoon, I found him putting his papers in order, and they say he purposes tomorrow or next day to betake himself to his house. I assure you, for all it is so near, I am not able to tell you certainly who shall succeed him, nor what shall become of the diet; only the general vote is that Mr. Treasurer [Sir Henry Vane] shall come in, and some say that we shall have the diet, and others that the King will save it in respect of the diet which Mr. Treasurer has by his treasurer's place; by the next I shall be able to give you a better account hereof. My cousin Frank is thinking to put himself into action in this summer's expedition; the generals tell him he shall have a troop or a company, which he thinks best, but he is not yet resolved which to choose. All his gains by it will be experience and a handsome passing over the summer, with which he may chance to get a knock; but he is almost weary of living idly at Richmond, and therefore would fain be in business upon any terms. All this family present their true affections to you, and I impatiently attend some good occasion to do you real service. [1 p.]

[Jan. 30.]

32. [Information furnished by Dr. Walter Balcanquall to Archbishop Laud], endorsed "the Dean of Durham's paper concerning the Mayor of Newcastle." Sir Walter Riddell and another knight, both Scotch captains and Covenanters, continued three days in Newcastle; they lay at the inn of Leonard Carre. During the time of their abode they diligently viewed the forts and bulwarks by water, the walls of the town, the hills and places of advantage or disadvantage about the town. Those who kept them company were the known Puritans of the town. Among those who entertained them at their houses was the mayor. When Mr. Mayor was asked by Sir John Marley, alderman of the town, why he would suffer known Scotch captains and Covenanters to view the town as they did, and how he could answer for it, the mayor answered that it was suspected there was mass said in the town, he wondered Sir John did not complain of that, but further answer he gave him none. The two knights had no other business in England, for they went

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no further, but returned presently into Scotland. This was the sum of that letter which I delivered to your Grace. [1 p.]

Jan. 30.
Newcastle.

33. Sir John Marley to Dr. Walter Balcanquall, Dean of Durham, at the Savoy in London. In answer to your last be well assured I neither have, nor ever will, write one word but truth and that which I have good grounds for; yet I hope to be better esteemed of than to be used like a common informer. As for the answer I writ Mr. Mayor [of Newcastle] gave me, Sir Lionell Maddison was by, and if he be put to his oath must justify the truth, though it is well known he is one of the greatest favourers of those of [the Puritan] faction in all Newcastle, but carries it warily. It appears more of late than before, for a special friend told me he said if Mr. Mayor carried his business right, he would come off with credit and his accusers with shame; besides all the Puritans in our town are labouring to make Sir Lionell a Parliament man. As for the meeting with Sir Walter Riddell and others which I writ of, there is Mr. Ralph Gray, brother-in law to Sir Lionell Maddison, Mr. Mayor and Dr. Jenison are his uncles, himself a crafty Puritan, and one of the captains of our town. He comes up in the mayor's company, and if they please to examine him it will appear he was the captain I wrote to by one of the assembly that met. I daresay if they be examined carefully and severally, there will appear much knavery and dissembling; I mean those who met at Newcastle. For my part I am sure that faction is bending all their wits and devices against me. But though I am sure they fear me, yet I thank God and his Majesty I fear none of them, for my doings are just, and I protest before God I hate none of their persons, but desire to reform their manners and make them better subjects, which, if God and the King please, I doubt not to do, or make them weary of Newcastle. The mayor set forward upon Monday last, being the 27th inst., when divers accompanied him forth of the town, as remarkably Sir Lionell Maddison and Dr. Jenison. His best plea will be ignorance, which in good faith is no lie; but let him be asked if he be not acquainted with Mr. Lapthorne, who was lately censured at Durham by the High Commission, for the truth is that there has not been any unconformable minister about us, but they have resorted to his house (I mean Mr. Mayor). The writs for ship-money are come, but nothing can be done by a deputy mayor; as I writ of this formerly I will say no more. God willing, in despite of all my foes, I shall ever show myself his Majesty's true and loyal subject, ready to the utmost of my power to do him service upon all occasions. [*Seal with arms.* 1 p.]

Jan. 30.

34. William Rand to [Robert Earl of Leicester]. Three weeks since I wrote to you concerning the ship Unity and the goods therein. I understood by your letter that you would vouchsafe to accept of a procuration made to yourself rather than to any other, wherein both myself and all the proprietors of the ship are much obliged to you. By this post we have sent over all our papers to Mr. Osizer [Usher?], who is to deliver them to you. We earnestly

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implore your best furtherance in the recovery of our ship or satisfaction for her. *Endorsed*, "Copy of a letter unto the Earl of Leicester. Sir, the agreement made not being performed, the Earl of Leicester informed the House of Lords, and they ordered letters of reprisal a little before the King and Parliament differed. Pray, sir, let these papers be found at any charge. Your grateful servant, Hamlet Borse. June 7th, 1664." [$\frac{3}{4}$ p.]

Jan. 30. 35. Anne Thornton, *alias* Barnardiston, to Sir John Millicent. Begs pardon for neglect of showing a light horse at the musters in Cambridgeshire, and promises compliance in future. [$\frac{3}{4}$ p.]

Jan. 30. 36. Final decree in the Court of High Commission at Lambeth, in the case of Sir Henry Rosewell, of Abbotsford, in the parish of Thorncombe, Somerset [now Dorset], cited for refusal to attend his parish church of Thorncombe, and for having a private chapel in his house, to which others not of his family, sometimes to the number of 20 or 30, have been known to resort. Sir Henry to be fined in 100*l.*, and condemned in costs, which are to be taxed the next court day; also the Bishop of Exeter, his diocesan, to set down order when and how often Sir Henry shall attend his parish church. [$4\frac{1}{4}$ pp.]

Jan. 30. 37. Certificate by George Fletcher that he had delivered into the Office of the Ordnance 24 tons 15 cwt. 3 qrs. 4 lbs. of English match, and is ready to make it up to 30 tons, and by the end of April he will have 20 tons if weather permit, but cannot as yet resolve what proportion he will be able to supply after that time. The price is 45*l.* per ton. Has written into Holland for a supply of Flemish match, but cannot say what quantity may be had. None will be permitted to be shipped from thence without his Majesty's letter, which he desires may be provided. *Margin by Nicholas*, "The price of this sort is 28*l.* per ton." [$\frac{2}{3}$ p.]

Jan. 31. Grant of privilege for 14 years to Matthias Burges, Thomas Barber, and Smith Wilkinson, for making candles, tapers, and torches after a new way by them invented, rendering 20*l.* per annum to his Majesty. [*Docquet.*]

Jan. 31. Grant to Edward Rose and John Burghill, at the nomination of Thomas Davies, his Majesty's servant, of certain amerciaments in a schedule annexed, imposed upon sheriffs in Wales for contempts and neglects in the execution of their offices, reserving a fourth part to his Majesty. [*Docquet.*]

Jan. 31. Royal assent given to several decrees of Commissioners of Sewers, viz., to one of 31st March 1635, made by William Tirwhitt and other commissioners, for draining of fens on both sides of the river Ancholme, who decreed it to Sir John Monson as undertaker; a decree of 24th August 1635, confirming the same; a decree of 19th February 1638-9, adjudging the lands drained, and one dated 4th March 1638-9, which allots to Sir John Monson 5,827 acres in recompense thereof. [*Docquet.*]

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Jan. 31.

Whitehall.

38. Report of the Council to the King. We have heard Samuel Barron, doctor in physic, and the Recorder and others of the town of Lynn, Norfolk, upon a petition of the former, referred by your Majesty to us, touching an allowance to be made to him for his attendance in the said town during the time the same was visited with the plague. We conceive the town ought to give the doctor 70*l.* in addition to the 30*l.* formerly left at his house, so as to make up the sum 100*l.*, the same to be paid by Lady Day next. [*Draft.* $\frac{2}{3}$ p.]

[Jan. 31.]

39. Petition of John Embree, his Majesty's servant, to the King. Being your Majesty's sergeant plumber his time is wholly taken up in attendance at your Majesty's houses to execute repairs. Notwithstanding his employment he has been chosen constable of the parish in London where he lives, which duty will enforce him to neglect his place, and furnish a precedent prejudicial to others your servants in the like places, and contrary to that privilege which all his predecessors have enjoyed. Prays his Majesty to signify his pleasure to the Lord Mayor, that he may be freed from the said office. [$\frac{1}{2}$ p.] *Annexed,*

39. 1. *Mem.*—*This man to continue in his office until it be legally determined.* [2 lines.]

Jan. 31.

40. The Council to the Lord Mayor of London For excusing John Embree, his Majesty's sergeant plumber, from serving the office of constable. [*Draft.* 1 p.]

Jan. 31.

41. The same to the Lord Mayor and Aldermen of London. We send you enclosed a petition presented to his Majesty by the poor water-tankard bearers of that city, complaining that the water which used to feed the conduits of the city is now much taken away by many private branches and pipes laid into private houses, which are often suffered to run to waste, to the general grievance, many being thereby forced to dress their meat with other water not so pure or wholesome, and petitioners much prejudiced and hindered from getting their livelihood. We require you to cause a particular view to be taken, what number of pipes are laid from each conduit, and into what houses by leave or otherwise conveyed, either by quills or pipes, and thereof to give us an account in writing by the last of February next. [*Draft.* $\frac{3}{4}$ p.]

Jan. 31.

42. The same to Sir Francis Popham. We send you enclosed the copy of a petition presented to the Lord High Admiral by Gerlach Moma and James Staneire, who in 1636 freighted the *Henry* and *John*, of Weymouth, with butter and tallow at Cork, in Ireland. In her passage to Dartmouth the ship was cast away, but the crew saved, and great part of the butter and tallow taken up at sea, and detained from petitioners till they obtained a commission of inquiry and restitution, the execution of which they entrusted to Mark Hawkins. From the petition it appears that you now question Hawkins in the Court of Common Pleas for delivering the

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said goods to petitioners, pretending admiralty jurisdiction at or near the place. You are to return to this Board your particular answer to the same by the last of February, that the Lords may take such further order as shall be fit. [*Draft.* 1½ p.]

Jan. 31.

43. The Council to the attorney employed by Sir Francis Popham. You are to make stay of all proceedings in the suit commenced by Sir Francis Popham in the Court of Common Pleas against Mark Hawkins, for having gathered and received the salvage of the Henry and John, of Weymouth, until Sir Francis shall have returned answer to the letter of this Board, and further directions be given by the Board in that behalf. [*Draft.* 1 p.]

Jan. 31.

44. The same to Sir Philip Carteret, Lieut. Governor, Ely de Carteret, Lieut. Bailiff, Henry de Marrey, jurat, and John le Hardy, his Majesty's advocate of the Isle of Jersey. Maximilian Messervy, of that isle, presented to the Lords a certificate signed by Sir Philip Carteret, together with his petition, showing that his father and grandfather died deeply indebted to divers persons of that isle, which debts petitioner has in most part discharged, but some creditors remain unsatisfied, making difficulty to take either houses, lands, wheat, or money rents at the usual rate they are at in the isle, and do now follow the law, and with eagerness, and extremity prosecute him to make a general cession of his estate, of purpose to make a prey thereof, to the perpetual infamy of the family; he has therefore besought us to grant him the favour that others have had in like cases. For our own better satisfaction we referred this matter to Sir Edward Littleton, Chief Justice of Common Pleas, and Dr. Reeves, his Majesty's advocate, who, having considered both of the petition and certificate, returned their report, copies whereof we send enclosed, requiring you to see all things done according to the said certificate, that petitioner's inheritance may be kept free, and the creditors satisfied either with such lands, or wheat rents, and money rents, as expressed in the said petition, after the rates usual in that isle, as you shall direct and find to be best for both sides; but if any of the creditors shall obstinately withstand these our directions, then you are to take bond for their appearance before us within 40 days. [*Draft.* 1½ p.]

Jan. 31.

45. The same to the Justices of Assize for co. Surrey. We send enclosed the information against and examination of Harvy Crow, now a prisoner, for scandalous speeches, and pray you at the next assizes to cause him to be indicted upon the information, when you are to proceed to his punishment according to law. [*Draft.* 1 p.]

Jan. 31.

46. The same to Francis Lord Cottington and the Council of the Court of Wards. Upon petition of the creditors of Sir Sampson Darel, we, in November last, referred the examination of the state of the business touching the petitioners' satisfaction to Sir Edward Warder, Sir W. Beecher, and Edward Nicholas, who have made their report to the Board, which we send you. As we cannot but

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well approve of what they have done, so we earnestly recommend all the particulars therein mentioned to your further care. We pray you, if it may stand with the course of that court, to give way that the creditors may be admitted in the court, although they are no parties to the bill, to make exceptions to the accompt of Hampden Ashfield, as well concerning the value of the estate, wherewith he charges himself, as concerning the omissions of divers particulars which the creditors allege to be made in the said accompt; as also to charge Thomas Ashfield with divers particulars of the estate of Sir Sampson, which the creditors allege to be come to his hands, whereof he has no sufficient discharge. We likewise pray you, in regard the said creditors have been so many years without their money, that they may have preference in their payments before other creditors, if it may be so allowed in regard that what they delivered to Sir Sampson was for his Majesty's service. [*Draft.* 1½ p.]

Jan. 31. 47. The Council to the Lord Mayor and Sheriffs of London.
Whitehall. We send you a petition and certificate presented by the wardens of the Leathersellers' Company complaining that Patrick Saunders, doctor of physic, having a tenement next adjoining to the house of Mr. Washborne, their tenant, did cause divers lights of the said house to be stopped up by erecting two sheds in his yard upon a new foundation. If upon examination of the premises you shall find it to be as is alleged, we require you, the said sheriffs, to take order that these sheds be pulled down, for which these shall be your warrant. [*Draft.* 1 p.]

Jan. 31. 48. The same to the Mayor and Sheriffs of the city of Bristol. By writ of November last, you were required to furnish a ship of 64 tons with double equipage for six months, to be ready at the rendezvous by 1st April next, which ship you were by the instructions of this Board advertised would cost 800*l*. In a petition presented to this Board from your city it is alleged that you are overrated in proportion with other counties and cities, and application made for reduction of the sum to equality with other places. We are to let you understand that his Majesty requires you, according to the writ, to take present order that a ship of 64 tons besides tonnage fail not to be at the rendezvous at the day prefixed, so manned, victualed, and furnished as is required, or else that the full sum of 640*l*. be levied and paid to the Treasurer of the Navy by the 20th of March next, that his Majesty may by his own officers furnish the same, which he is graciously inclined to do in case of that city, but in the event of neither of the above requirements being performed, then the full sum of 800*l*. to be levied according to your first instructions. [*Draft.* 1 p.]

Jan. 31. 49. The same to the Sheriff of co. Devon. We perceive by your letter of the 17th inst., that according to former directions from this Board concerning settling a rate between the hundred of Roborough and tithing of Tavyton, in the parish of Tavistock, you

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find that the tithing has made some payments with the hundred, as for reparation of bridges and for robberies committed within the same hundred, but the usual payments for the county with the parish of Tavistock, and you intimate your opinion that it should so remain, which we hereby approve. We direct that the hundred of Roborough shall still bear its whole charge [of ship-money] as in the two last assessments, and Tavyton be charged with the parish of Tavistock without any alteration at all. [Draft. 1 p.]

Jan. 31. 50. Order of Council. The Attorney-General to examine John Scattergood, late constable of Uttoxeter, as to what he knows concerning the late riot there, and who were the chief actors; after which Scattergood to attend Lord Newburgh, Chancellor of the Duchy, for his discharge, for the due performance whereof he has entered into bond of 50*l.* [Draft. $\frac{1}{2}$ p.] *Annexed,*

50. I. *Minute of the above-mentioned bond of John Scattergood.*

Jan. 31. 51. The like. Complaint made by the Warden of the Fleet, that whereas he paid 5*l.* fine, besides 5*l.* yearly rent, for having water brought to the prison by pipe from Sir Hugh Middleton's river, it is now threatened by Sir William Middleton's agents or officers to be cut off unless he will pay a greater fine and increased rent. Ordered that Sir William or any others interested in the said water-work shall forbear as well to cut off the pipe as to raise the rent and fine, which if they shall refuse to do, then they are required to attend the Board. [Draft. $\frac{3}{4}$ p.]

Jan. 31. 52. The like. It is ordered that the difference between the Surveyor-General of Customs and the merchants and seamen of Hull and Newcastle, which was appointed to be heard on the 5th February, shall be postponed till the 14th of the same month, when all parties are required to attend. [Draft. $\frac{1}{2}$ p.]

Jan. 31. 53. The like. The parishioners of St. Katherine Creechurch, Whitehall. London, having petitioned the Board against a shed for drying cotton wool, erected by Mr. Hardcastle upon a new foundation against the vestry house of the parish church, the Lords hereby require the sheriffs of London and Middlesex to cause the same to be pulled down, and to certify their proceedings to the Board by the 12th February. [Draft. 1 p.]

Jan. 31. 54. The like. By a former order of 31st January 1638-9, it was declared that Mr. Lloyd, vicar of St. Alkmond's, Shrewsbury, should be charged out of the 60*l.* per annum, which it was conceived he received by a lease of tithes arising within the parish of St. Mary, a fourth part of the clear yearly value thereof towards the increase of the maintenance of the curate of St. Mary's. Forasmuch as the Lord Keeper Coventry, who was joined in this reference, is dead, and that the tithes of Cotton within the parish of St. Mary's are settled by a grant under the Great Seal to the vicar [of St. Alkmond's] and his successors, which we have not thought should be impeached, and

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the rather for that we are assured that the said curate has a more plentiful maintenance than the vicar, we therefore hold it not fit that any part of these tithes should be paid to the curate of St. Mary's, but be continued to the vicar of St. Alkmond's and his successors according to his Majesty's grant. [*Draft.* $\frac{1}{2}$ p.]

Jan. 31.

55. Order of Council. Upon petition of Capt. Richard Powell, his Majesty referred the difference between the said captain and his brother, Sir Edward Powell, touching the will and estate of their late father, to the Archbishop of Canterbury, the Lord Keeper, and three others. The said parties, however, having this day agreed at the Board, and voluntarily by consent referred themselves and all their differences to be arbitrated by their counsel, Sergeant Clarke, and the Recorder of London, which the Lords approving of did order that the reference by agreement be hereby ratified and confirmed, and the parties required to pursue the same. These referees are to certify their proceedings therein, to the end that in case they cannot finally determine the differences, the lords referees before named, upon view of their certificate and information where the default shall be, may proceed further for the ending of the same according to his Majesty's direction. In the meantime the parties are to forbear further prosecution of any suits depending between them. [*Draft.* 1 p.]

Jan. 31.

56. The like. Mr. Conyers, a vintner, living in Blackfriars, has taken a private house in King Street, Westminster, with intent to convert the same into a tavern, although the city of Westminster is already so pestered by a multitude of taverns as they can scarcely subsist one by another. We do, therefore, require the justices of peace of Westminster to take care not only for suppressing the said intended tavern, but also that there be no more taverns erected in Westminster, of which order Mr. Alderman Abell, the licenser of the tavern keepers, is to take particular notice. [*Draft.* 1 p.]

Jan. 31.

57. The like. Sir Robert Brook having refused to receive the declaration of William Gynningham, touching a portion of common claimed by the inhabitants of Walderswick, co. Suffolk, the Lords order that Sir Robert shall accept of the same and give his answer thereto, to the end that a trial may be had at the next assizes, which if he refuse to do, then to attend the Lords referees upon the 7th of February next. [*Draft.* $\frac{3}{4}$ p.]

Jan. 31.

58. The like. A petition of Robert Pye, complaining of some wrong done him by Sir John Monson and Sir William Pelham about taking in some grounds claimed by petitioner in the level of the river Ancholme, co. Lincoln, having been presented to the Lords, they order that a copy of the same be delivered to the parties named, and they be required either personally to appear at the Board or to send some one sufficiently instructed with their answer in writing to attend the Lords the 6th of May next at the Inner Star Chamber. [*Draft.* $\frac{2}{3}$ p.]

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Jan. 31.

59. Order of Council. The petition of William Stoddard, prisoner in the Fleet, being this day read, the Lords find no cause to alter their former directions, and therefore order that the Attorney-General be again required to proceed against Stoddard in the Court of Star Chamber according to a former order of the 8th instant. [*Draft.* $\frac{1}{2}$ p.]

Jan. 31.

The Council to the Justices of Peace nearest to Eltham, co. Kent. We are informed that the sisters of William Stoddard, Esq., now prisoner in the Fleet, are left in great want, and that he refuses to afford them any relief; we therefore require you to take some legal course to lay such an assessment on Stoddard's estate, for the maintenance of the said gentlewomen, his sisters, that they may not by his unnatural carriage and wilfulness be made a parish charge, or perish through necessity. [*Draft. Written on the same paper as the preceding.* $\frac{1}{2}$ p.]

Jan. 31.

60. Order of Council. Nowell Warner, master of his Majesty's barge, being required to deliver in the patent for transportation of lamperns [or lampreys], did by his petition represent that before the said patent passed the Great Seal he made a conveyance to Lyonell Platers and Jerome Lanier of two thirds of the same, which Mr. Platers has in his keeping, and also gave bond of 1,000 marks to either of them not to surrender his patent without their consents, which the Lords taking into consideration did this day order that both Platers and Lanier shall be hereby required without further delay or dispute to deliver up the patent to the Board, or else to attend the Lords upon Thursday the 13th of February next. [*Draft.* $\frac{2}{3}$ p.]

Jan. 31.

61. The like. Upon the petition of John Lane, of Brixham, Devon, representing that he was prevented by sickness from attending the Board according to the Lords' warrant of the 24th December, the time for his appearance was extended till the 25th March next. [*Draft.* $\frac{2}{3}$ p.]

Jan. 31.

Inner Star
Chamber.

62. Warrant permitting Thomas De la Valle to export to Ham-
burgh and Flanders 400 lasts of rye, the same being under the
prices limited by statute for exportation of corn, he paying customs
and dues. [*Signed and sealed.* 1 p.]

Jan. 31.

63. Draft of the same. [1 p.]

Jan. 31.

Inner Star
Chamber.

64. Order of Council. Complaint was this day made to the
Lords referees formerly appointed by his Majesty to hear the
difference between Sir Robert Carr and his lady, that Sir Robert
being obliged by covenant to free from encumbrances, before the 1st
of November last, all the lands he had assigned for payment of
600*l.* per annum for the maintenance of his lady, did, upon fair
words and promises, from time to time defer the same till towards
the beginning of this term, and is now gone beyond sea, leaving the
same encumbered, so as his lady has just cause to doubt that she

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may by this means be defeated of the allowance for her maintenance. Ordered, that if the allowance shall not be duly paid according to the assignment made by direction of his Majesty and the Lords, that then Lady Carr shall resort to the Lords, who will acquaint his Majesty with the high contempt of Sir Robert, and doubt not but to take such order for her relief and satisfaction as shall be agreeable to law, and reduce Sir Robert better to understand himself. [*Signed, but not sealed.* 1 p.]

Jan. 31.
Inner Star
Chamber.

65. Order of Council. A petition was presented to his Majesty by Mrs. Bridget Rosister, to whom was committed the charge of keeping and educating the children of Sir Robert Carr, of Sleaford, Bart., that a competent allowance might be settled for the children's maintenance and education, Sir Robert not having allowed anything for them this half year, and being lately gone beyond sea without taking any order at all for their livelihood or education. On which petition his Majesty was pleased to make a reference to us, dated at Whitehall, 25th January 1639, as quoted. We have investigated the matter, and finding that Sir Robert has left the children destitute, notwithstanding his promise to his Majesty, have thought it not only charitable but just and equitable that children so well allied, and born to so good fortune, should not, upon their father's wilfulness, be so left without care for their maintenance and education. We do therefore not only hold it just and fit, but, according to his Majesty's command given us, order that the expense of the children from the time they were with their grandmother be forthwith satisfied, and also 400*l.* per annum be half-yearly paid for their maintenance and education for the future, commencing from Christmas last. For this purpose Lord Willoughby and the others to whom Sir Robert has conveyed his estate are required to assign over in trust for use of the children so much of Sir Robert's lands as are of the value of 600*l.* per annum, either parcel of his late mother's rents or others. [*Draft.* 3 pp.]

Jan. 31.

66. The like. The report of Dr. Reeves in the business in difference between William Smith, of London, merchant, and W. Aldred, of Godmanchester, Hunts, together with the petition of the latter, being read at the Board, the Lords declared that they would meddle no further in this business, but left them both to their course at law. [*Draft.* $\frac{1}{3}$ p.]

Jan. 31.

67. Warrant directed to Watts the messenger. The Company of Tilers and Brickmakers having complained of William Hatton and 12 others named for defects in their making of bricks and tiles, you are required to take them into custody, and bring them before us to answer to such matters as shall be objected against them, but if any of these delinquents shall give bond to conform themselves to the orders of the company, then they are to be discharged upon paying fees. [*Draft.* 1 p.]

Jan. 31.

68. The like to Robert Keene, clerk, requiring him to repair hither [before the Board]. [*Minute.* $\frac{1}{4}$ p.]

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Jan. 31. 69. Warrant to release Thomas Insley and Foulk Barker, constables, from the Fleet. [*Minute.* $\frac{1}{4}$ p.]

Jan. 31. 70. Notes by Nicholas of Council business, being references on petitions of widow Jason, Henry Browne, Gibbon, and Gilby. [$\frac{2}{3}$ p.]

Jan. 31. 71. Petition of the Patentees for Tobacco of the parish of Stepney to the Council. That Thomas Jay, one of the justices of peace for Middlesex, having by virtue of a Council order committed George Staunton or Stanton, the latter combined with Thos. Pennington, whom your Lordships had formerly punished for the like offence, and procured divers persons, some unconnected with the sale of tobacco, so to scandalise the said justice that he is utterly discouraged to proceed in the execution of that order. Staunton has since been bailed without conforming or making satisfaction, contrary to that order. By reason whereof many are encouraged to retail tobacco there, and Thos. Pennington and others have sorely beaten petitioners' servants as they have gone along the road, and report that petitioners shall not be suffered to live quietly within that parish, in high contempt of the King's patents and proclamation and your Lordships' order. Unless exemplary punishment be speedily inflicted on these disturbers of the peace they will utterly overthrow his Highness' revenue there, and ruin petitioners and their families, who are bound annually to pay great sums for their patents. Pray the Lords to command Justice Jay to proceed in the execution of the order, and that those whom he may commit shall remain without bail until they conform. *Underwritten,*

71. I. *The Lords pray Lord Goring and the rest of the Commissioners for Tobacco to examine the business complained of and certify the Board what they find concerning the same, whereupon the Lords will take such further order as shall be fit. Inner Star Chamber, 1st January 1639-40. [1 p.]*

[Jan. 31?] 72. Remonstrance of Thomas Jay, J.P. for Middlesex, to the Council. The Patentees for Tobacco of the parish of Stepney by their petition declared to the Lords that having brought divers delinquents, by virtue of the Council order against selling tobacco without license contrary to proclamation, before your suppliant to be proceeded withal according to the directions of that order, George Stanton, a principal delinquent, was committed to prison, but got himself at liberty, whether by habeas corpus or otherwise your suppliant knows not. After this Stanton, who is clerk to Nathaniel Snape, J.P., residing in Stepney, accompanied by Arnold, a carpenter, and others, encouraged a multitude of these delinquents, who were regulated or punished by your suppliant under the said order, to deliver divers scandalous petitions against him to the late Lord Keeper Coventry and Chief Justice Bramston, who having appointed a day to hear the same, Stanton and Arnold appeared with some 80 of the petitioners, and suggesting many false and bold

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matters against your suppliant, affirmed that he gave great damages to the patentees and shared with them. Since which time, by reason of their immunity from punishment, Stanton and Arnold have continued to vilify and menace your suppliant, and by advice of Nathaniel Snape, J.P., and William Gibbs, J.P., have brought their several actions of trespass against him. The said justices, as your suppliant conceives, were moved out of envy to take this course against him, by reason that the patentees in those parts applied to him for execution of your Lordships' order. Thomas Jay, J.P., here states the true manner of his proceedings in this business. *Underwritten,*

72. I. *To the scandal of sharing damages with the Patentees, it is answered; that they affirmed to the Lord Chief Justice that they neither had given nor presented any penny to your suppliant, nor given cause of any expectation, to which they tendered their oaths. They likewise affirmed that of all the damages assessed they had not received 10l., and so were not likely much to enrich your suppliant.* [1 p.]

Jan. 31. 73. Certificate by George Chudleigh, John Bampfylde, and Henry Ayshforde to the Council. According to the Lords' order of 8th inst., on the petition of Cape and Rewe against Richard Culme, we have investigated this case, and find Mr. Culme very ready and inclinable to submit to and perform the requirements in the former order made by the Lord Keeper and Sir Thomas Trevor, and in obedience thereunto he has delivered to Cape the lease of the tenement in question and the bills of sale of the goods made to him by Cape and Rewe. [1½ p.]

Jan. 31. 74. Christopher Windebank to his father, Sec. Windebank. I am
Feb. 10. sorry that my pen cannot sufficiently reply to the thanks which
Paris. you gave me for my last letter written to you in Spanish. My time has been much taken up with studying French, in which I make progress, but to write it and speak it are two very different things, therefore I will not yet attempt to write to you in that language. [*Seal with arms. Italian. ¾ p.*]

Jan. 31. 75. John Richardson to Sir Henry Vane, Treasurer of the House-
Durham. hold. Having brought up my grandson, John Richardson, as a clerk in the English courts at Durham, I have presumed upon your courtesy to send him up to you, and hope if you will please to entertain him that you will find him observant to all your commands. I send with him divers writings concerning Raby and Barnard Castle, which you will find useful. [*Seal with arms and crest. ¾ p.*]

Jan. 31. 76. Bond entered into by Hugh Williams for payment to the late sheriff of co. Gloucester of the ship-money remaining in his hands; also that he will use his best endeavour to assist the sheriff's officers to collect the remainder. [*Minute. ½ p.*]

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Jan. 31. 77. Estimate of the charge for a proportion of victuals for 25,000 land soldiers, viz., beer for 28 days, 4,536*l.* 15*s.*, and bread, butter, and cheese for 56 days, costing respectively 3,834*l.* 5*s.*, 5,509*l.* 6*s.*, and 6,290*l.* 13*s.* 11*d.*, making a total of 20,171*l.* 17*s.* 2*d.*; the same to be stored for a magazine at Berwick, Newcastle, and Carlisle. [1 *p.*]

Jan. 31. 78. List of half-pay to the officers of a regiment of foot, estimated by the day, week, and month. The officers' half-pay for 30 regiments amounts for a month to 4,291*l.* [$\frac{3}{4}$ *p.*]

Jan. 31. 79. Report upon a reference made 31st January 1639-40 by Sir John Bankes, Edward Herbert, and Sir Robert Heath. We have viewed the wines in difference between the merchants and vintners named, but cannot reconcile the parties, therefore give the report of the condition of the wines in each vintner's hands. [1 *p.*]

[Jan.] 80. Abstract of several petitions, orders of Council, and certificates made out by order of the Board concerning William Price's new buildings in Holborn. The dates of the documents, some of which have already appeared in this calendar, extend from 30th March 1636 to 29th September 1639. The last entry was evidently written subsequent to the first meeting of the Lords in Hilary term, 1639-40, when order was made for Mr. Meautys to draw up this abstract. [5 *pp.*]

[Jan. ?] 81. Petition of Nehemiah Rawson to the Council. Petitioner has been in attendance on the Lords almost a month at the instance of William Bosewell, who falsely pretends that petitioner did commence actions against him, contrary to the Lords' orders of 1637, requiring him not to molest Sir Anthony Thomas and those employed in the works of drainage in co. Lincoln. Petitioner having sued Bosewell for carrying away his bricks and timber, and for scandalous speeches against him, obtained verdicts in the country, but is stayed at law by misinformations that the Lords' orders were infringed by these actions, all which has been referred to Sir Dudley Carleton and Mr. Meautys. Prays to be discharged from further attendance, and to be suffered to recover his damages at law. [$\frac{3}{4}$ *p.*]

[Jan. ?] 82. Petition of Samuel Foy, late high constable of the hundred of Horethorne, co. Somerset, to the same. Having been sent for by warrant upon the complaint of William Every, late sheriff of Somerset, concerning ship-money, he still remains in the messenger's custody. Petitioner has done his utmost to collect the money, and has paid to the sheriff all he received, save only 7*l.* remaining in his hands, and which the sheriff desired him to keep till the rest should be collected. After petitioner was out of his place he received two warrants for distraining of arrears, one from the late and the other from the present sheriff, but he doubting the validity of these warrants neglected the executing thereof, in regard many of those who refused payment are gentlemen of great quality, with whom he is no way able to contend, and whose names he is ready to produce.

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He is heartily sorry to have incurred your displeasure, and is ready to pay the 7*l.* when called upon. Prays to be discharged out of the messenger's custody and from any longer attendance. [$\frac{3}{4}$ p.]

[Jan.] 83. Mem. [Robert] Earl of Lindsey desires you to remind Sec. Windebank to speak to the King for warrant to George Payler, paymaster of Berwick, to make payment of arrears to the captains and officers in garrison at Berwick, from the 24th June 1639 till the beginning of last December, in which time they received but half-pay. [$\frac{1}{2}$ p.]

[Jan.] 84. Petition of John Gwynn, waterman, of Lambeth, Surrey, to Lord Cottington. Petitioner being willing to satisfy his creditors if he only had time, his Majesty to that purpose referred the matter to Sir Thos. Grymes and Sir John Lenthall, who have prevailed with all his creditors saving three, but these stand out in contempt of the royal authority and reference, aiming at the destruction of his poor family by their suits in law. For relief wherein he has petitioned the Earl of Manchester, Lord Privy Seal, that a messenger may be sent for these three creditors to answer their high contempt and to perform the King's pleasure signified, or else to grant an injunction to stop their proceedings at common law, and to admit petitioner to sue in formâ pauperis in the Court of Requests. Prays a letter from Cottington to the said Earl in favour of the granting of his request. [$\frac{1}{2}$ p.] *Annexed,*

84. 1. *Petition of John Gwynn to Henry Earl of Manchester, to the effect above stated.* [$\frac{2}{3}$ p.]

[Jan. ?] 85. List of causes specially appointed to be heard this sitting day [in the Star Chamber]. The Attorney-General, plaintiff, against Andrew Arnold and five others for fraudulent making of corrupt beavers, to the abuse and oppression of his Majesty's subjects. Richard Chafin, of co. Wilts, plaintiff, against William Martin and 40 others, for combinations, riots, and other offences. Sir Rowland Egerton, of Northampton, plaintiff, against Anne Mostin, Henry Fox, and 11 others, for plots, conspiracies, undue finding of inquisitions and offices, riots, and other offences. The Attorney-General, plaintiff, against Richard Edwards and 11 others, for making and compounding of ill medicines, being apothecaries practising physic in London, not being of the College of Physicians, and other offences. [2 pp.]

[Jan. ?] 86. Brief of the cause of Sir Richard Grenville, Bart., prosecuted [in the Star Chamber]. Upon the marriage of Sir Charles Howard Knt., one of the sons of [Thomas], late Earl of Suffolk, and brother to [Theophilus], the present Earl, with Mary, only daughter and heiress of Sir John Fitts [Fytch?], she then being seized of lands about 10 Jacobi, it was covenanted by the above-named two Earls that they should settle on Sir Charles and his heirs male, lands worth 600*l.* per annum, or, for want of heirs male, to provide 1,000*l.* apiece to all the daughters. In accordance with these stipulations a

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lease for 60 years was made of certain lands for payment of the said 600*l.* per annum to the said lady during life, to commence upon the death of Sir Charles, who subsequently died about Michaelmas, 1622, leaving two daughters. The lady then brought an action in chancery against Theophilus, the now Earl, to have the articles performed and for arrears due, and obtained a decree; after which, in October 1629, she married Sir Richard Grenville, and had issue a son and a daughter. Numerous suits in law are then detailed as having taken place between the lady and the Earl, Sir Richard and the Earl, and the lady and Sir Richard, but these are too long for quotation. Eventually the lady obtained a sentence in the High Commission Court for 260*l.* per annum alimony against Sir Richard, notwithstanding he enjoys no part of her estate, the same being conveyed away as specified. The arrears of the 600*l.* per annum from May 1626 till 28th November 1639 amount to 8,100*l.*, and the interest unpaid to 3,972*l.*, making a total of 16,656*l.*; so that if the Earl should be admitted to receive the 4,000*l.* damages awarded against Sir Richard in the Star Chamber, yet, by reason of the decree in chancery and the money incurred thereupon, there would be due to Sir Richard 12,656*l.* on the 28th November last past. [= 2 *pp.*]

Jan. 87. Further proceedings at Gloucester in the suit of Porter against Compton. [See preceding volume of Calendar, p. 367, No. 19. *Latin.* 8 *pp.*]

Jan. 88. Brief *ex parte* Allen of the proofs of Robert Rice's will in a suit depending in the Arches Court, Hobart *contra* Allen. [5 *pp.*]

Jan. 89. Answer of Richard Harvey, gent., defendant, to the bill of complaint of Bishop Pierce, of Bath and Wells. Defendant believes it to be true that the bishops of Bath have been lawfully seized in right of the rectory and parsonage of Compton Dando, co. Somerset, which rectory Archbishop Laud in January 1627, being then bishop of Bath, granted and to farm let to Thomas Millner, of Corston, co. Somerset, clerk, and the latter in June 1635 for the consideration of 250*l.* to him paid by Jerome Harvey, this defendant's uncle, did demise, sell, and set over the same to him for three lives, upon whose death it came by will to defendant. Defendant further saith that if the complainant, the present Bishop, desires to try his title to the premises in question, the same is more proper to be discussed and tried at common law than in this court, the rather for that the complainant or his agents have seen all defendant's deeds and the will of his uncle, of which they have counterparts and copies. [13 *pp.*]

Jan. 90. Bill of complaint exhibited to Francis Lord Cottington, Master of the Court of Wards, by Anthony Stafford, son of John Stafford, of Blatherwick, co. Northampton, in the suit Stafford *versus* Stafford and Farmer. [24 *pp.*, of which 2 blank.]

Jan. 91. Brief on the part of Humphrey Barton against William Chanon in a suit depending in the Arches Court, touching the churchwardens' accounts for the parish of Silverton, co. Devon. [Damaged by damp. 11 *pp.*]

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Feb. 1.
Whitehall.

1. Minutes by Nicholas of business despatched this day at the Council of War. Resolved that warrant shall be given for six months' pay, after the rate of 2s. per diem, for a storekeeper at Carlisle. Ordered that George Fletcher make as much English match as he can, and deliver the same into his Majesty's store, but that he attend the Lord Treasurer for payment for the 24 tons of match formerly delivered; also that he furnish 50 tons of foreign match at reasonable rates, for which he is to receive 500*l.* upon accompt. Resolved that all officers of foot for the army obtaining the Lord General's certificate shall be entitled to half-pay from that time, the same to be paid by the Treasurer-at-Wars. Lord Conway and others named to define the office and duty of a provider or commissary-general. Resolved that all pistols shall be made 18 inches long with a bore to carry 28 bullets to the pound. [$\frac{3}{4}$ p.]

Feb. 1.
Little Britain.

2. The Commissioners for Gold and Silver Thread to the Council. Robert Amery, the messenger, being sent to search the house of William Greene in St. John's, Middlesex, found there, ready to be disgrossed, two bars of silver and one of silver gilt, value 170*l.*, with irons for drawing the same into wire, contrary to the proclamation for preventing the consumption of the coin and bullion of the realm, which he seized, though violently resisted. When we met the next day to take examinations touching the same, Joseph and William Symonds, wiredrawers, of their own accord came and claimed the silver to be theirs, though confessed to be bought elsewhere than at his Majesty's office, and without paying the duty reserved. They then affirmed that the silver had been delivered by them to Greene to be disgrossed and drawn for them, and in a threatening manner required us to deliver up the same. All which being done in manifest contempt of his Majesty's proclamation and commission, and tending to the present overthrow of the regulation now settled by his Majesty, we present to you for your further directions therein. [1 p.]

[Feb. 1.]

3. John Lanyon to the Council of War. Having been appointed by you for viewing and proving a great number of arms beyond the seas, my request is that you will allow two artificers to be sent with me from hence to assist in that duty. [$\frac{1}{2}$ p.]

Feb. 1.
Barbican.

4. John Earl of Bridgewater to Sec. [Windebank]. I send you a note of lands for your satisfaction touching the security for the money which, out of your desire for the advancement of his Majesty's service, you are pleased to take care to provide for me. If I were able by my own credit to have procured the money I should have spared your trouble therein. I assure you I have not been negligent in this business, and I hope speedily to furnish myself with 5,000*l.*, whereof I have already procured a great part. To be short, what I can do I will not fail to do, to express my affection and desire to serve his Majesty as my power and ability shall enable me. I send herewith a letter I received yesterday from the Council in the

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Marches, that you may consider thereof with the rest of the papers which you have concerning Blount's [Blunt's] miscarriage. [1 p.]
Annexed,

4. I. *Sir Marmaduke Lloyd and two others to John Earl of Bridgewater, Lord President of the Council in the Marches of Wales. In your letter of the 16th January last you signified to us that you had received some informations from Edmond Woodward, muster-master in the county of Worcester, of the strange and unbefitting carriage by two sons of Walter Blunt, and also of some matters requisite to be inquired after, which may trench upon his Majesty and this kingdom. We have inquired about the intemperate language used by Blunt's sons at Mr. Woodward's house, the younger of whom came in voluntarily and confessed to having threatened to burn Woodward's mill, but utterly denied that he or his brother did ever mention the King or spake one word of stabbing any one with a knife. Ludlow Castle, 25th January 1639-40. [Seal with crest and arms. 1 p.]*

Feb. 1.
 Drury Lane.

5. Warrant signed by Sec. Windebank to all justices of peace and others, to suffer Capt. Thomas Edwards to levy and transport into Flanders so many volunteers as will make up 2,000 men, intended by his Majesty for recruiting the English companies in the service of the King of Spain there. [Copy. $\frac{3}{4}$ p.]

Feb 1.
 Hackney.

6. Edward Misselden to [Sec. Windebank]. I am infinitely bound to the King for his offer to hear me personally. Yesterday, being a quiet day at court, I presented myself with purpose to have represented something to the King about that service in Holland, which, for aught I see, our Deputy will rather let be neglected than effected by me, who have been working for it above these 20 years. Some other thoughts I had about the license now in question between the Duke of Lenox and the Company [of Merchant Adventurers]; but his Majesty having notice of some petitions of the company put into your hands, deferred me till after those were presented. To-morrow, I suppose, they will be read. If his Grace and the company agree I shall be glad; if not, I shall be ready to attend his Majesty, and humbly to present privately a fair way and means—

1. For settling the license in the company to the good contentment of the Duke.
2. To make it some way beneficial to the King.
3. To take some order for the great debt of the company which lately indiscreetly was obtruded on the King.
4. To avoid the immoderate growing of that debt, which lies heavy on the cloth of the kingdom; which undoubtedly will be called in question in Parliament.
5. To increase our drapery and to decrease the Dutch, who are advanced therein to 30,000 cloths a year, which is the full quantity of our white cloth transported.

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These, you will say, are sooner said than done, but I hope to give his Majesty good satisfaction in them all, which cannot so well be done in writing. This poor paper therefore, if you think it worthy to be represented to his Majesty, being for his, the Duke's service, and the Company's good, and without any respect to myself, I shall be ready at your command. P.S.—I have received a letter of the 4th February, N.S., from a French merchant of Rouen that the Prince Elector's business is agreed upon, and that he shall be governor of Brisach. [1 p.]

Feb. 1. 7. The Treasurers of the Navy to [Sec. Windebank]. Giving an estimate of what moneys are required for setting forth 20 of the King's ships, and for victualing and transporting 5,000 landmen. Totals for the former service, 49,842*l.* 10*s.*; and for the latter, 59,823*l.*; of which 64,583*l.* to be supplied at once, and 45,082*l.* 10*s.* against the termination of this service. [1 p.]

Feb. 1. 8. Estimate of the charge for setting forth to sea 20 of the King's ships and pinnaces manned with 2,800 men for eight months' service on our own coast; viz., the James, 260 men; St. George, 260; Swiftsure, 260; Charles, 250; Rainbow, 240; Convertive, 200; Garland, 170; Leopard, 160; Entrance, 160; Antelope, 160; Mary Rose, 100; Providence, 100; Expedition, 100; 1st, 2nd, 3rd, and 8th Whelps, each 60; Greyhound, 50; Roebuck, 45; and Nicodemus, 45. Total, 72,668*l.* 6*s.* 8*d.*; whereof to be paid to the Surveyor of marine victuals 22,825*l.* 16*s.* 8*d.*, and to the Treasurers of the navy 49,842*l.* 10*s.* [1½ p.]

Feb. 1. 9. Certificate from the Officers of the Ordnance what gunpowder is remaining in his Majesty's magazine 1st February, and what was sold or disposed of in the last month. In the Tower, 253 lasts 16 cwt. 59 lbs., and at Portsmouth, 5 lasts 7 cwt. [2 pp.]

Feb. 1. 10. F. Grymesdytche to [Thomas Windebank]. Thanks him
Dermound. for his letters, and begs him to present the enclosed to his uncle, Mr. Secretary. [¾ p.]

Feb. 1. 11. John Goold to Nicholas. Since the last week's certificate there has been received only 12*l.* ship-money of Yeovil, Somerset. [½ p.]

Feb. 1. Henry Earl of Holland to Sir Edmond Sawyer, auditor of co.
Whitehall. Berks. Whereas King James granted to Sir Charles Howard an annuity of 50*l.*, to be paid by the receiver of co. Berks, for provision of hay for the deer in Bigshot walk, and upon some question arising relative to the payment of the annuity, his Majesty determined that 40*l.* should yearly be paid to Sir Charles, and the remaining 10*l.* to Sir Arthur Mainwaring for provision of hay for the deer in such places of Windsor Forest as I, being justice in eyre of the royal forests, should appoint; and whereas I am informed that there are great store of deer in New Lodge walk in the custody of Sir Charles Harbord, and that he has no allowance of hay for

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the same; these are to require you to cause the 10*l.*, parcel of the said annuity, for all the time the same is in arrear, as also in future as the same shall grow due, to be paid to Sir Charles Harbord and William Murray equally for provision of hay for the deer in New Lodge and Bigshot walks. [*Copy. See vol. ccclxxxiv., p. 71. = 1½ p.*]

Feb. 1.
Whitehall.

Henry Earl of Holland to Sir Arthur Mainwaring, Lieutenant of Windsor Forest, Sir Edmond Sawyer, and Sir Robert Bennet. Warrant to supply to Sir Charles Harbord, keeper of New Lodge and walk in Windsor Forest, such timber trees out of Braywood or elsewhere as shall be fit for the reparation of New Lodge and the fences within that walk, not exceeding 10 loads of timber. [*Copy. Ibid., p. 72. 1½ p.*]

Feb. 2.

12. William Boteler, late sheriff of Beds, to Nicholas. The present sheriff sent me a copy of a letter from the Council commanding me to collect the arrears of ship-money in my charge, but has since neglected to grant me warrant until he hath attended the Lords to be resolved in some scruples which he will propound. Being upon these uncertainties I am enforced once more to trouble you, and entreat that you would make my condition known to the Lords, that I may not be esteemed culpable where I want power to execute their commands; but if the Lords require my attendance I shall be ready upon the least notice. [*Seal with arms, broken. ¾ p.*]

Feb. 2.

13. Bond of Hugh Williams, of Condicote, co. Gloucester, in 100*l.* to collect and pay in to the late sheriff of that county the ship-money wherewith he stands charged. [*Seal impressed with crest and arms. ¾ p.*]

Feb. 3.

Grant to Edward Snapes, his Majesty's marshal farrier, and Anthony Elton of the benefit that accrued to his Majesty out of the estate of Richard Thornton, convicted of felony. [*Docquet.*]

Feb. 3.

The like to Sir Henry Vane of the office of one of his Majesty's Principal Secretaries of State, with a fee of 100*l.* per annum during life, to commence from Christmas last. [*Docquet.*]

Feb. 3.

Warrant to the Exchequer to pay to Sir Henry Vane 700*l.* per annum for intelligences and secret service, as accustomed to the Secretaries of State, to commence from the 1st February, and to continue during pleasure. [*Docquet.*]

Feb. 3.
Whitehall.

Minutes by Nicholas of business despatched this day at the Council of War. Resolved that every troop of cuirassiers shall consist of 100 horsemen besides officers, and every troop of carabineers to consist of 60 and 52 horsemen. Two artificers to go with Mr. Lanyon, the proofmaster, to survey the arms sent for from Flanders. Estimate of the number of waggons resolved by the Lords to be provided for the officers of the army; in all 478 waggons, whereof 448 are to have three horses apiece, and the 30 appointed for the Lord-General six horses. Total of the charge for waggons

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per diem 118*l.* 9*s.* 8*d.*, *per mensem* 3,317*l.* 10*s.* 8*d.* [See this present volume, No. 1. 2½ pp.]

Feb. 3. 14. Sir John Coke to Sec. Vane. I willingly give my testimony
Garlick Hill. in favour of the bearer, whom I know to be honest and able, and fit
to be trusted in any service you shall employ him in. [¾ p.]

Feb. 3. 15. Extracts of letters from Hampshire and Devon, sent to Lord
Cottington and transmitted by him to Sec. Windebank. The
collection of ship-money in Hampshire goes on so speedily that we
conceive it will all be collected in very short time. We, in Devon-
shire, have news of a parliament, but no man believes it. The
ship-money we are sure of, for every man feels it already; and
although the rate of this county be high, being 9,000*l.*, yet is there
no grudging, so as I think we are the King's best subjects. [½ p.]

Feb. 3. 16. Sir John Conyers to [Sec. Windebank]. I received your
Breda. packet of the 12th January [see that date, No. 110] on the 26th of
the same, and according to your order in the postscript I directed
the bearer to Mr. Willmott at the Hague, from whom you will
receive answer. For what concerns myself you may understand
that I cannot refuse those royal and princely offers his Majesty
out of his wonderful bounty and goodness is pleased to make me,
his unworthy servant, but relying wholly upon his favour, will
come and cast myself at his Majesty's feet with a resolution to
endeavour to serve him in all things he shall find me capable;
provided that his Majesty will, as promised in your letter of the
12th January, write his letters to the States General and the
Prince of Orange to procure them to dispense with my service for
six or seven months, that my company here may not in the mean-
time be disposed of to any other, but may remain to me until I
have had the honour to kiss his Majesty's hands, and be settled in
my charge there. It will be requisite that his Majesty's letters
be written to purpose, for I fear great difficulty will be made
in it, though 30 years' faithful service, with great affection to this
state, as mine has been, in reason deserves something more than
ordinary favour; not that I desire it in regard of the profit which
may arise by it, for that is no way my end in removing from hence,
but only the desire I have to do his Majesty service, and therefore
I beseech you, if Sir William Boswell be here, the business may
be recommended to him. A letter also from his Majesty to the
Queen of Bohemia for her Majesty's recommendations in that
regard to the States and the Prince of Orange would be very
advantageous to me, for I know there be already [some] that speak
and pretend for the command of my company. In the meantime
I will take order in my affairs here, that I may be ready to pass
into England so soon as that shall be effected and his Majesty shall
have use for my service. I will according to your commands
persuade as many as I find fit for his Majesty's service to transport
themselves into England, though I have little hopes of any, the
few companies here of our nation being for the most part composed

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of Dutchmen, excepting Mr. Willmott's lieutenant and mine, who have wives and children, and so settled here that, but for very good conditions, and those certain, they will be loath to remove. I fear you may think the return of this post long, although he stayed but one night for my letters. P.S.—I pray let these enclosed be delivered. [*Endorsed by Sec. Windebank as received by Duncan on the 12th February and answered on the 18th. 2 pp.*]

Feb. 3.
Breda.

17. Sir John Conyers to [Edward Viscount Conway and Killultagh]. In a packet from Sec. Windebank I received one from the Earl of Northumberland and one from your Lordship of the 12th January, whereby I understood the conditions his Majesty, by your favour, offers to me, which I must confess are such that with my reputation I cannot refuse, as shall appear to you by the copies of my letters to them both, which herewith I send your Lordship. I would willingly have spoken of some conditions for my wife, if God should take me, but I dare not press the King to it now, but I hope I shall obtain it when I come over; only this I earnestly desire, that his Majesty will so effectually work with the States General and the Prince of Orange that they may dispense with my absence for six or seven months, and that in the meantime my company may not be given from me, for I assure you that, unless I may do so, I mean to hold my company here till I am settled in my charge there in England, or at least resign it to my nephew Hume. I should be loath to remove upon any conditions; this I am bold to tell you, though I dare not say so much in my other letters. If I hold it for a time I may find some means by the King's favour to resign it to him, which would give some content to my wife, who is so afflicted with my removing, that were it not that my reputation is so engaged by the great propositions that are made me, I would not change, for it is in no way in regard of the profit that may arise to me by it which makes me undertake it, but only the service I may do his Majesty, and the honour I may receive by doing him service, and your Lordship in particular, to whom I am so much bound. Sir Robert Stone, a servant of the Queen of Bohemia, says he has a promise of the first English company of horse that falls void, and speaks already for mine, which I should be very loath to leave to him, and therefore I beseech you again work so effectually in this business that my leave of absence may be obtained at least for six or seven months. In Sec. Wndebank's letter of the 12th January I am already promised that the King would write to the Prince of Orange to dispense with my service for a time, though it cannot be expected it could continue long if I accepted that charge in England, and that I confess, nor do I expect it. I will bring you a trumpet if possible, but for wearing a full cuirasse for your person I never saw our Commissary-General nor our Lieutenant-General otherwise armed here than with a back and breast, and that of proof, much less a general, which I hear and hope you are to be. For horses I cannot advise you to buy any here, for good horses fit for service are not here to be got for any money, and young horses would

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not be of any service this year; besides horses here in Holland are extremely dear and the charge of transporting them excessive. I pray you advertise me by your next when you guess I must be in England, that accordingly I may hasten my business here. Letters by way of the Hague come so slowly to me that I would you send copies of your letters to Breda by the post of Antwerp. Mr. Willmott said he would write to you. I beseech you that one of the King's ships may be sent for us against the time you will have us come over. I know it will require but a word from you to the Earl of Northumberland, and it will be a great convenience to us. I again recommend to you the procuring my pass from the States and the Prince of Orange for this time. Sir Jacob Ashley was once absent in Denmark a year and a half, and again in Germany two years, and his company was kept for him during that time; also many more besides him in former times and this last year. I have served this state above 30 years and this is the first time I ever desired such a favour, therefore I beseech you be earnest in pressing my request. I should be extremely loath to leave these countries without first obtaining my leave of absence, for who can tell what may happen 'twixt the lip and the cup. A letter from the King to the Queen of Bohemia to that purpose would not only help me by her recommending it to the Prince of Orange and the States, but be a means to hinder her Majesty from recommending others to my company. I send you herewith copies of my letters to the Earl of Northumberland and Sec. Windebank; in the former I have been bold to trouble his Lordship about the arrearages of my pension. There is no great appearance of Mr. O'Neill, a devoted servant to the Earl of Northumberland and yourself, being employed here, whom I find not so ignorant of service amongst the horse as many who have served long amongst them; if I have a regiment I should be glad of him to be my major, and am confident he would give you and the Earl contentment in that place; my desire therefore is that you should further his interest with the Earl. P.S.—My wife presents her service to you, and we both join in the offer of our best service to your most good and noble lady. [4 pp.]

Feb. 3.
The Tower.

18. Sir William Balfour to Sir John Heydon. Recommends the bearer, Jonathan Powell, as a fit man to be employed for doing work for his Majesty, he having for many years done part of his Majesty's work for Mr. Berry, now deceased. [*Seal with crest and arms, broken.* $\frac{3}{4}$ p.]

Feb. 3.

19. Note of causes appointed to be heard in the Queen's Court at Westminster this day, relative to lands in cos. Bedford and York. [$\frac{1}{3}$ p.]

Feb. 3.

20. Particulars furnished by Sir Michael Ernle of what buildings were formerly belonging to the garrison of Berwick, distinguished as within the palace and without the palace. If these buildings are not sufficient to contain his Majesty's store, some part of the

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castle may be made useful with reasonable charge, the only inconvenience being its remoteness from the water. [1½ p.]

Feb. 3. 21. Estimate of the number of waggons resolved by the Council of War as necessary to be provided for the officers of the army; in all 481 waggons, whereof 451 are to have three horses apiece, and the 30 appointed for the Lord-General six horses. Total of the charge for waggons *per diem* 119*l.* 4*s.* 8*d.*, *per mensem* 3,338*l.* 10*s.* 8*d.* [2½ pp.]

Feb. 4. Grant of the office of Comptroller of the Mint in the Tower of London to Henry Cogan and William Wheeler, for life or to the longer liver, with a fee of 100 marks per annum and other profits. [*Docquet.*]

Feb. 4. The like of the benefit of an outlawry against Sir George Horsey, Sir George Morton, James Walker, and Ralph Horsey, to John Credland, John Hooper, and George Bowdon, towards the payment of 500*l.* due to Credland and the others by Sir George Horsey and the before named outlawed persons, his trustees. [*Docquet.*]

Feb. 4. Petition of Gilbert Welles to the King. That petitioner is seized of divers manors, lands, and hereditaments in cos. Southampton, Wilts, and Dorset for term of life without impeachment of waste, remainder to his son Charles in tail, remainder to his other sons, with other remainders over, which will be worth to his said son 1,200*l.* per annum. That petitioner being much indebted, and having, besides his eldest son, divers younger children, viz., two sons and three daughters, for whom no provision is made, is utterly disabled either to discharge the one or to raise proportions for the other, unless he be enabled by your Majesty's favour by sale of a small proportion of land to relieve himself, without which liberty he must be enforced to pull down his house and to sell all his timber and wood, to the great prejudice of his heirs and defacing his whole inheritance. These particulars being with all humility submitted to your princely consideration, petitioner's suit is that you would give your royal direction to the Lord Chief Justice and others of the Court of Common Pleas to suffer a common recovery to be had against your petitioner and his son Charles, being within age, of the manor or lordship and capital messuage and farm of Little Sombourn, Hants, the same not amounting to one-eighth part of what will fall to the said Charles, to enable petitioner to sell that property, and thereby in some sort to prefer his younger children and pay his debts. *Underwritten,*

i. *Reference to the Lord Chief Justice and any two of the other judges of the Court of Common Pleas to consider of the above petition and certify their opinions, whereupon his Majesty will signify his further pleasure. Whitehall, 4th Feb. 1639[-40]. [Copy. See Book of Petitions, Vol. cccviii., p. 147. 1 p.]*

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Feb. 4.

22. Samuel Cordewell, the King's gunpowder-maker, to the Council. It is humbly offered for your consideration--1. That the home-made saltpetre falls short about 80 lasts to make 240 lasts yearly, and therefore if you think fit, now that the East India Company are suitors for some privileges, they may be covenanted with to bring over a certain quantity of saltpetre yearly, at the rate they have formerly sold it for to the King. [*Margin*: It is held fit that when the charter shall be passed there be a clause to enjoin the East India Company accordingly.] 2. That Bristol cannot but vend much powder, in respect that it is the greatest town for shipping except London. So that if Bristol and other seaport towns had powder sent them to sell, your Lordships might have the money and accompt returned by those who return the farmers [of the customs] money, and from these places the towns and country thereabouts might be supplied. [*Margin*: That this be ordered as was directed for the county of Southampton, and that all powder-makers be suppressed.] 3. For the quiet settling of a work of such advantage as this is like to be to his Majesty, and for avoiding of dispute when the leases now in being shall expire, his Majesty may be pleased to purchase such lands and waters as are in the occupation of the mills, and whereof the work will always have need. [*Margin*: The Surveyor-General is to view these some time this vacation, and to certify what he conceives they may be worth, and thereupon Mr. Cordewell is to attend the Attorney-General about buying in the same. [1 p.]

Feb. 4.

23. The same to the same. That by an Order of Council of 22nd May 1639, petitioner was commanded to make fine corn powder for pistols, which he has ever since done, but prays allowance towards his charges. [*In margin by Nicholas*: This costs him 40*l.* per annum.] That they would make him some allowance for his loss sustained by fire, whereby he lost his stove and above 2,000 cwt. of powder. [*Margin*: This loss was 300*l.* to the powder-maker.] That he received 2,000*l.* by way of imprest, as Mr. Evelyn likewise did for erecting the works which he has effectually done. Prays the Lords to be a means to his Majesty to pardon petitioner the repayment thereof, who in lieu of the same will disclaim all his interest in the mill-houses, work-houses, and all other buildings by him now used for the making of gunpowder, and will leave the same in serviceable repair at the expiration of his contract. [*Margin*: The Surveyor-General is to view these works, and to certify what he conceives they have cost, whereupon the Lords referees will take further order.] [1 p.]

Feb. 4.

[Carlisle Castle.]

24. Sir Francis Willoughby to the Council of War. In obedience to your commands of the 27th January, I have diligently viewed the convenience this place will yield for his Majesty's service, and what the castle and citadel afford, all which is set down separately in the annexed schedule. The ovens, furnaces, and houses in the castle are much decayed, as also the granaries and other places, which of necessity must be repaired before they can be used; fuel

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also is not very plentiful, by reason the last summer was very wet. I find divers convenient places belonging to the Abbey, under the dean and chapter, which being repaired will serve for cellarage and storehouses. [1 p.] *Annexed,*

24. I. *Schedule referred to above, certifying the capabilities of the granaries, ovens, and brewhouses in the castle and citadel at Carlisle, with the two malt-kilns in the town. [2½ pp.]*

24. II. *A similar schedule certifying the number and capacity of the brewhouses and ovens in the city of Carlisle, which may be rendered available for his Majesty's service if needful. [4¼ pp.]*

Feb. 4.
Drury Lane.

25. [Sec. Windebank] to Sir Michael Ernle. I thought that by mine of the 25th January I had sufficiently instructed you concerning the 100 men which by small numbers the King commanded should be conveyed with all secrecy into Edinburgh Castle by intelligence between you and the governor, but I find by yours of the 24th ult. that you conceive the greatest difficulty will be in getting the men, and that you can find ways enough to send them thither. I confess I do not understand how that can be, seeing you have men enough in garrison at Berwick, from whom you may select the most able and faithful for this service, and how many soever you shall employ, the like number shall be supplied to the garrison again from some other part. This his Majesty has commanded me to write to you, and withal that you shall give such men as you shall use in that service extraordinary reward, to such proportion as you shall think fit, which will be repaid you by the paymaster there. What you advertise in your letter concerning the fortifying of Hexham and Norham, upon further direction from you how it may most conveniently be done, shall be ordered accordingly. The slight breastwork, only musket proof, which you propose, the King approves, and you are to proceed in it, as is mentioned in your letter. P.S.—Let Capt. Lloyd know that I have received his of the 29th ult., and that his Majesty's pleasure is that he go on with the works according to his former letters and my answers to them. He may employ Heath or any one he likes best in place of Goodman, his principal workman, fallen sick. If he desire any workmen from here, upon notice how many and of what trades he shall be supplied, or else he may have a warrant to press some there. [Draft. 1 p.]

Feb. 4.
Berwick.

26. Sir Michael Ernle to Sec. Windebank. I received yours of the 28th January [see Vol. ccccliii., No. 3], and have given you by this a particular account of what you commanded. I had thought of a way for supplying Edinburgh Castle with men, which I believed would have taken effect, but I have now received your order to the contrary. I hear nothing as yet of the ship you mention, but last Saturday a ship of great burden passed northward; what she was I know not. The [Scotch] Commissioners came to Berwick on Saturday last, and the next day proceeded on into Scotland. That night

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there arrived a packet from England for Scotland, which I believe contained letters for the commissioners, as they made no haste the next day. The Lord Ester [Stair?] and the Laird of Kelloe brought them on their way, and went, as I hear afterwards, to the Holy Island, to what purpose I know not. The tax they have made in Scotland for the tenth of every man's revenue I understand comes not in so fast as they brag of. I hear that the Earl of Haddington is lately become a covenanter, and that the Lord Ker, son of the Earl of Roxburgh, has 1,500 arms at his house near Dunbar. They look bigger upon the business now than ever, but I believe those men who go for the Castle of Edinburgh will not be refused; if they be I shall follow the directions you have given me. I desire you to consider that many accidental charges in the long absence of a governor fall upon me, which otherwise would be his; I had but six shillings the day until the Lord Treasurer's last order, and since I have received 10 shillings the day. [*Seal with arms.* 1 p.]

Feb. 4.
Berwick.

27. Capt. Charles Lloyd to Sir Francis Windebank. Your command to Sir Michael Ernle I have endeavoured to assist. Concerning the granaries, they will be extremely necessary, and likewise the two other houses, seeing one forge cannot furnish my carpenters besides the other house is requisite for other offices. The account of the works I have sent you lately, and therefore cannot tender you as yet any further satisfaction. I thank the Lords for the warrant, which I have sent to the deputy mayor of Newcastle to furnish me, which is the most fitting place I can think of, seeing I cannot well be spared at this time from hence. [*Seal with device.* $\frac{2}{3}$ p.]

Feb. 4.
Motcombe.

28. Sir John Croke, late sheriff of Dorset, to Nicholas. In obedience to the Lords' directions for levying arrears of ship-money in Dorset upon the writ of 1637, I have sent throughout the whole county the present sheriff's warrants and schedules, but have not as yet received any money. I pray you excuse my personal appearance at this time before the Lords, as my weakness is such that I cannot travel to London without peril of my life. I will do my best endeavours to collect so much of these arrears as may be had. [*Seal with device.* $\frac{1}{2}$ p.]

Feb. 4.

29. Thomas Triplet to "the most kind father in God the Archbishop of Canterbury." Narrates the story of the enclosed paper. Reluctance of the mayor of Sunderland to take notice of the seditious words reported to have been spoken by George Stevenson, servant to George Lilburne, of Sunderland, being then at Alnwick. It is difficult for me to believe that Sir William Bellasis, being a scholarly gentleman and a friend to me rather than otherwise, should endeavour to vindicate a man charged with high treason. They say Sir William has much dealing and commerce both by sea and land, shipping and colliery with two of the most arrant covenanters and dangerous *boutefeus* that are in these parts, viz., George Lilburne,

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of Sunderland, now in the High Commission for that which he deserves a Star Chamber censure, and G. Grey, of Sudwick, who has lately endeavoured to lay the axe to the root of Durham church. However, in the meantime I have written to my old friend Sir Michael Ernle, governor of Berwick, to examine this Morrell upon oath. He denied the words, but I must call him villain, for I took special notice of them. It would strike a good reasonable terror if they were all sent for up from the mayor, that he may give an account how he behaved himself in it; then Lilburne and his man, that they may be examined, both from whence the post came to them, and by whose direction, and how they tampered with Morrell to make him recall his words. [1½ p.] *Annexed,*

29. 1. *Deposition of John Morrell, a soldier. That on New Year's day last, he being at Sunderland, George Stevenson, servant to Mr. George Lilburne, asked him why he would bestow himself upon the calling of a soldier, for that soldiers spend their time in drinking and swearing, which was a wicked course, and advised him having a good trade to follow it rather. 8th January 1639-40. [1 p.]*

Feb. 4. 30. Certificate of John Hooker [a justice of peace] that Christopher Pickering, of Gray's Inn, had that day taken the oath of allegiance. [¼ p.]

Feb. 4. 31. Bond of John Scattergood in 50*l.*, conditioned that he attend before the Attorney-General to be examined as to who were actors or abettors in the riot committed near Uttoxeter, and not depart till licensed by Lord Newburgh, Chancellor of the Duchy. [*Signed and sealed.* ⅔ p.]

Feb. 5. 32. Petition of John Gibbon and Lucas Corselis in behalf of the participants in the Level of Hatfield Chase to the King. Petitioners being fee-farmers to your Majesty of the improved lands within the Level of Hatfield, which they have perfected at a charge of near 200,000*l.*, and were by contract to pay to your Majesty a rent of 1,100*l.* Upon survey there was found to be so much more land dividable to the participants that an increased rent of 128*l.* was laid on them in respect of some lands in Misterton, Gringly, and other places more than was at first intended. By your Majesty's covenant it was agreed that when all the lands were drained, if petitioners had less portions assigned to them than mentioned in the contract, then an abatement to be made out of the 1,100*l.* per annum. The works being all finished, divers of the lands are still unjustly detained by some pretending interest, whereby petitioners have lost hitherto, and do still lose, according to the rate that the other lands are let, at least 2,000*l.* per annum; notwithstanding which, the rents reserved upon that part so detained are still required from the proportion enjoyed by petitioners, and those employed for collecting the fee-farm rent, which your Majesty has granted away, refuse to levy any part of that rent by way of

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distress upon those lands which are liable to pay the same, and which are withheld from petitioners, but exact it from them by distress upon the portion in their possession. That they may have the benefit of your Majesty's contract and relief for the possession of those lands, pray reference to certain Lords of the Council, who may set down order therein or certify your Majesty. [$\frac{3}{4}$ p.]

Feb. [$\frac{5}{15}$].

33. Charles Louis, the Elector Palatine, to Robert Earl of Leicester, English ambassador in France. At my interview with M. de Chavigny the sum of his discourse was, that since your lordship would hearken to no proposition concerning the King my uncle's co-operation with his master, the French King, for my interest until I were set at liberty (for which I owe you many thanks), he would be content to grant it, both to gratify me and to show his desire to advance the treaty, but upon condition I should sign that, whereof I send you a copy, of which I shall make no difficulty, since the first part of it would clear me of that which I was suspected for, and the latter advance the aforesaid treaty, and the good which I might expect by being in the French King's sight, and having the cardinal's conversation, &c. I thought an absolute refusal would but augment their jealousy of me, therefore I strove to delay it, saying that though I would make no difficulty to satisfy the King, his master, in signing that which he demands if it were in other terms, yet I desired him withal to consider whether I ought not [to show] that respect to the English ambassador as to take his advice in it beforehand, and since the French King professed so much desire to maintain a good correspondence with his Majesty, I thought he should not urge me to do such a thing without the knowledge of his ambassador. The most part of his visit was spent in arguing this point. At last he told me if I deferred the signing of this paper too long I should spoil my own affairs, remain as I am, and confirm the French King in his suspicion of my ill intentions against his service. As for the form I might alter it as I pleased, and send it to him, when he would acquaint the King with it. I kept the project and desired some time to think on it, after which I would let him know my intention; whereupon I desire your lordship's advice how to govern myself, for on the one side, notwithstanding the trouble I am in, I am loth to promise or sign anything without your approbation; on the other I apprehend that my backwardness will be taken as a confession of that which I am suspected of; therefore I desire to know whether you think I may sign the first part without prejudice in the manner as I have altered it, if I should be pressed to do so; as for the latter part, which is an obligation, I will eschew it, except you think it may stand with the King my gracious uncle's liking as I have changed it. I beseech you to return your answer by this bearer, and to believe that I am infinitely sensible of those testimonies you have given me in this occasion of your real friendship to me and your care of my interest. I shall never think myself wholly at liberty until I may receive the happiness to acquit myself of the obligation you have put me under. [*Copy.* $1\frac{1}{2}$ p.]

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Feb. 5.
Auckland
Castle.

34. Bishop Moreton, of Durham, to Sec. Windebank. In obedience to the King's command concerning the lecturer chosen for Newcastle, I have received the answer from the deputy mayor and aldermen to my several queries. 1. They are not aware of any distaste they gave to Mr. Stevenson that he should give over his lecture. 2. They only chose Mr. Bewick eight days after Mr. Stevenson's resignation. 3. They were informed that Mr. Bewick was conformable to the orders of the Church of England. 4. They resolved not to allow of him if the bishop should not approve of him as able and conformable. 5. Although they did not offer the place to Mr. Alvey they acquainted him with their election of Mr. Bewick, to know whether he would take any exceptions against him. 6. They could not remember any instance of the vicar enjoying the vicarage and lectureship together. Howbeit I understand from Mr. Stevenson that one distaste he took was that neither he nor some others that were curates could receive their stipends but after much delay. By Mr. Alvey I also perceive that he has not desired of the mayor and aldermen to have the benefit of the lecturer, but notwithstanding he is willing to read the lecture. This is all I think which concerns me to certify at this time and upon this occasion. [*Seal with arms, broken. 1 p.*]

Feb. 5.
Newcastle.

35. Sir John Marlay to [the same]. I received yours of the 28th January on the last ult., when Sir William Bellasis, whose assistance I wanted, was already departed for London. The next morning I sent a trusty servant into Northumberland to inquire for Sir John Buchanan, and if he could learn for certain where he was staying, then to apprehend him, but, if not, to make no noise, but to return, which he did on the 4th inst. He heard that Sir John never stayed long in one place, as he had many haunts in Northumberland, most of his consorts being strong for the Puritan faction. When at Shields Sir John was observed to view the haven and harbour and the old fortifications, but more I think will appear when examination is taken of those who consorted with him. I am persuaded if some of the chief of that faction in Northumberland and Newcastle, who are the patrons of the inferior sort, were strictly examined and dealt with, it will be the ready means to root out that mystery of iniquity from these northern parts. If his Majesty please to command me any further service I shall faithfully perform it, but I am sure if anything is to be done in Northumberland there will be need of a strict command to the justices there for assistance. If Sir John Buchanan be taken I shall proceed according to former directions, but, if not, I forbear until further order. [*1 p.*]

Feb. 5.
Westminster.

36. Nicholas to Sir John Pennington. I thank you for your friendly correspondence. Yours to the Lord Marquis [Hamilton] I have delivered. Sunday last Sir Henry Vane, Treasurer of the Household, was sworn one of the Principal Secretaries of State, in which office he is already very busy. The Scotch Commissioners are expected daily, but are not yet arrived, and we hope they will bring a submission with them. The Lord-General's commission is

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not yet under seal, but is in good forwardness, and we are preparing in a far better manner than the last year. The writs for the parliament are not yet issued, but will be out about the end of the term, and the parliament will begin, as I am credibly assured, in April next. Sec. Coke delivered to the King his seals on Friday last, and the next day went to his house in this town, and is now preparing to go to his house in Derbyshire. I hear nothing of the Prince Elector but that he continues still a prisoner in France, without hope of any sudden alteration. The Lord Lieutenant of Ireland is still here, but goes for Ireland about three weeks hence, as it is said. I hear no other news worth your notice but that the French Gazette, which came out last week says that you are to go to sea speedily with a very great fleet. I wish you a happy success in your employment, and shall be ever ready to prove myself your friend. P.S.—The Bishop of Lincoln's cause in the Star Chamber, upon his petition to the King, was yesterday put off till the next term. The city of London have made choice this year rather to collect the ship-money and pay it to the King than to undertake the setting forth of the two ships this year. [*Seal with crest and arms, broken.* 1 p.]

Feb. 5.
Highley.

37. John Newton, late sheriff of co. Montgomery, to Nicholas. I have received the Lords' letter touching the arrear of ship-money upon writs of 1637, being 64*l.* I pray you remind the Lords that this omission arose because the plague in that year was in three of the chief towns of the county, so that at first the arrears amounted to 164*l.*, yet with great difficulty and no less danger I collected 100*l.* and have paid it to Sir William Russell. I desire the Lords to accept of 20*l.* for the present, and promise that the remainder shall with all speed be made ready and paid in to Sir William, Treasurer for the Navy. The Lords' letter was dated the last November which I received the last of January. [*Seal with arms.* 1 p.]

Feb. 5.
Clement's Inn.

38. John Rattenbury to the same. In reply to the Lords' letter touching the 12*l.* ship-money payable from the town of Oakhampton, co. Devon, in the year 1638, I have to state that the same was paid to the sheriff's agent in August last, and on the 14th December paid in to the Treasurer of the Navy. [$\frac{1}{2}$ p.]

Feb. 6.

Warrant to the Exchequer and to the Dean and Chapter of Rochester to pay to Sarah Moubray, late wife of Hugh May, deceased, 124*l.* 6*s.* 8*d.*, being for a year's payment of an annuity remaining in the hands of the said Dean and Chapter. [*Docquet.*]

Feb. 6.

Grant to Charles Evans of a gunner's room in the Tower of London with the fee of 6*d.* per diem during pleasure, *vice* John Reynolds, deceased. [*Docquet.*]

Feb. 6.

Warrant to the Exchequer and to the Receiver of first-fruits and tenths to pay to Lord Newburgh, out of the moneys to be by them received for the years 1640 and 1641, 3,000*l.* lent by him to his Majesty, with interest at the rate of 8*l.* per cent. per annum. [*Docquet.*]

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Feb. 6. Warrant to the Exchequer to discharge Marquis Hamilton, Master of the Horse, of 400*l.* by him received upon Privy Seal dated 25th September last for provision of horses for the service of the King, the Queen, the Prince, and Princess, besides 140*l.* over and above the said sum ; also 400*l.* more by way of imprest for provision of such horses as his Majesty now has or hereafter shall have cause to use. [*Docquet.*]

Feb. 6.
Whitehall.

39. Order of Council of War. For Lord Conway, Colonel Goring, Sir William Uvedall, Sir J. Ashley, and Sir Nicholas Byron to consider how the money for raising a troop of horse at the rate of 15*l.* for a horse, for the garrisons of Berwick and Carlisle, being impressed by the King, may be reimbursed again by defalcation, in what manner and in what time. Also how the charge of tents for the foot soldiers, allowing one tent, value 30*s.*, to four soldiers, may be paid for out of the soldiers' pay, and in what time. This committee is desired to set down in writing their opinions, and to present the same to the Lord-General by Saturday next. [*Draft by Nicholas.* $\frac{2}{3}$ *p.*]

Feb. 6.
Whitehall.

40. The like. Reference to the same committee with the addition of the Attorney-General to consider of the conditions expressed in the indenture of last year signed by captains of cavalry, and to advise of fitting provisoes and caution to be therein inserted for better securing his Majesty for the charge of the horse and arms to be delivered to each trooper, and to send to the Lords a draft of an indenture to that purpose. [*Copy.* $\frac{3}{4}$ *p.*]

Feb. 6.

41. Draft of the same by Nicholas. [$\frac{1}{2}$ *p.*]

Feb. 6.
Whitehall.

42. Order of Council of War. Reference to John Crane, surveyor of marine victuals, Nicholas Pay, clerk of the kitchen, the Surveyor of the Navy, and Captain James Duppa, to consider and advise of a proposition made for supplying beer at Berwick for the use of the army, and of the prices and demands therein expressed, and to certify their opinions of each particular to the Lord-General. [*Draft.* $\frac{1}{2}$ *p.*]

Feb. 6.
Whitehall.

43. Minutes by Nicholas of business transacted this day at the Council of War. Resolved that there be allowed to every brigade 50 pioneers, and so for the whole army and train of artillery 150 pioneers. The Auditor is to add to the list of every troop nine spare horses, whose pay is allowed to the officers of a troop as so many dead pays, and to estimate the charge for a regiment accordingly. The Earl of Strafford signified his Majesty's pleasure that Colonel George Goring be added to the Council of War, and thereupon he was called in and sat with this Council. Sir Nicholas Byron to be despatched into the Low Countries, to bring thence 100 expert sergeants and corporals in place of 200 volunteers to be despatched thence at the King's charge to supply their places. [$\frac{3}{4}$ *p.*]

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- Feb. 6. Treveneage. 44. Francis Godolphin, late sheriff of Cornwall, to the Council. By yours to me of the 1st November 1639 it appears that, of the 1,700*l.* ship-money assessed upon Cornwall in my late sheriffalty, there rested then unpaid 383*l.* In answer whereof I offer to your consideration that 268*l.* was assigned to the towns corporate, leaving 1,432*l.* to be collected by me from the rest of the shire, all which I have now paid in to Sir William Russell, though I have been forced to disburse a great part thereof, not yet received. A part of the sum to be levied on the towns is already paid in to Sir William Russell, leaving only 63*l.* to be collected, which is distributed as here specified, but which I had no power to levy. I have solicited and importuned the payment thereof; their answer has been all alike, "They are poor and cannot pay it." And so having neglected it I leave them to your consideration, praying you to accept this my service. [*Seal with crest and arms.* 1 *p.*]
- Feb. 6. At my gouty lodging. 45. Sir Thomas Jermyn, Comptroller of the Household, to Sec. Windebank. I am pressed by my friends to entreat your favour towards a gentleman, Captain William Butler, who pretends to have been very injuriously oppressed by his colonel in the Infanta's army, and by him cast into prison at Brussels. My desire is that you would write a line to Gerbier desiring him to take knowledge of the matter, and, if he finds the cause just, to mediate with his colonel. [1 *p.*]
- Feb. 6. Hull. 46. Certificate that aboard the Providence, of Hull, master Richard Wood, there were laden two casks of saltpetre consigned to Robert Cardewell, in London, which ship in her passage for London was sunk in Yarmouth haven the 1st January. [$\frac{1}{2}$ *p.*]
- Feb. 6. 47. Bill of causes left unheard the first sitting in the Exchequer Chamber in Hilary term. The causes are arranged under counties. [*Damaged by damp.* 3 *pp.*]
- Feb. 6. Gatehouse Prison, Westminster. 48. Simon Petteward to his brother, Edward Sparline, at Yarmouth. Thanks for your kind and courteous proffer, but winter being not yet past I dare not commit my treasure to the sea. We hope the Lord has a speedy work to work for his people, and that the very old men shall see his deliverance. Commends the reading of the Scriptures to him and his sister. [1 *p.*] *Encloses,*
48. 1. John Armystead to Mr. Kydson, a carpenter at Yarmouth, dated 5th Feb. 1639-40. [1 *p.*]
- Feb. 7. The King to Thomas Earl of Strafford, Lord Lieutenant of Ireland. To cause letters patent to be passed to Sir Thomas Lucas of the office of Commissary-General of his Majesty's horse troops in Ireland with the fee of 20*s.* per diem during good behaviour, to commence from 8th January last; and in case he shall be employed in his Majesty's wars, an increase of 10*s.* per diem more is to be added. [*Docquet.*]
- Feb. 7. The same to the same. For Thomas Armstrong to be quartermaster-general for the horse troops in Ireland with the fee of 10*s.* per diem. [*Docquet.*]

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- Feb. 7. Presentation of Nicholas More, clerk, to the rectory of Bradwell-by-Sea, in the diocese of London, void, and in his Majesty's gift *pleno jure*. [*Docquet.*]
- Feb. 7. 49. William Pennington, sheriff of Cumberland, to the Council.
Seaton in Cum-berland. The writ and instructions for assessing 700*l.* ship-money on this county only came to my hands on the 3rd January with another letter concerning arrears. I have directed my several warrants to Sir Thomas Dacre and Sir Timothy Fetherstonhaugh requiring them to levy the sums in arrear for their terms of office in the years 1637 and 1638, and pay the money in by the end of Candlemas term or else appear before the Lords. Owing to the late delivery of the writ the 700*l.* cannot be ready for payment by the 20th February according to your directions. [$\frac{2}{3}$ *p.*]
- Feb. 7. 50. Sir Timothy Fetherstonhaugh to the Council. On the 6th inst. I received a copy of your letter of 30th November concerning ship-money for 1638, whereby I am required to give an account of the same for my shrievalty by the last of this term. I humbly present that in December 1638 I received writs and directions from you, but whilst I was taking care to see the same effected I received a letter from the clerk of the Council requiring me to return them, which I accordingly did. Since which time I neither received writ nor direction to levy any money during my time of shrievalty. [*Seal with arms broken.* $\frac{2}{3}$ *p.*]
- Feb. 7. 51. Sec. Vane to [Sir Thomas Roe]. Sec. Coke having desired to retire, and put the seals into his Majesty's hands, the next day he bestowed them upon me, with the ciphers. His Majesty has since made a division of his foreign affairs betwixt Sec. Windebank and myself; Spain, Flanders, and Italy being intrusted principally to the care of the former, and France, Holland, Germany, with the kings and princes of the Baltic Sea to mine, yet so as not to exclude each other from corresponding with all his Majesty's ministers; and to us both they are to send severally their ordinary despatches; but his Majesty's commands to his ministers are to be despatched in his circle by him, so in mine by me. You will by this post receive his Majesty's answer to your last in cipher from Sec. Windebank as it was given to him to write before I was sworn. In future you are to expect that office from me, who will invite you to a punctual correspondence by my diligence and the desire I have to serve you in a public way or in your private occasions when you shall make use of my service. [2 *pp.*]
- Feb. 7. 52. Sec. Windebank to Sir Thomas Roe. Since my last of the
Drury Lane. 24th January there has been some alteration at Court. Sec. Coke has been succeeded by Sir Henry Vane, who holds his white staff and still continues Treasurer of the Household. Division of foreign affairs between the writer and Sec. Vane. This distribution of business is not, however, exclusive to either of us, unless his Majesty by special command shall commit some secret to either of us to be

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communicated to his minister abroad. Although in this allotment you may seem not to be peculiarly within my province, from which notwithstanding you are not excluded, yet you may be sure I will always be in yours, and will be always ready to serve you. In my last I promised you a letter of thanks from his Majesty to the King of Denmark, which is not forgotten, though it be not yet in readiness. In the meantime his Majesty has already passed a good office in favour of that king with the States' ambassadors here, having earnestly recommended the business to them with his own mouth, and they have promised to give what advancement they are able to it. The States' ambassadors here have pressed the King for some answer to their memorials concerning the business of the Downs, but such an answer as is fit to be made will require great and deep deliberation, and though it be a little delayed, yet in the end I hope it will be to their satisfaction. I sent with my last a letter from his Majesty to General King, which, I hope, you have caused to be delivered, and that you have used persuasions to him to return hither and enter his Majesty's service rather than continue in that of any foreign prince. It is his Majesty's pleasure that you shall pass the like offices to other able commanders of that nation now in those parts. The King has delivered your letter of the $\frac{14}{24}$ January into my hands, together with the proposition and discourse of Arnheim, to which he has commanded me to return you this answer, that the present constitution of his affairs at home is such as he cannot hearken to it, and therefore requires you to make a fair and civil answer, such as you shall think best for his honour and service, and to excuse it handsomely. A copy of the safe-conduct mentioned in your letter granted by the King of Hungary at the interposition of the Venetian ambassador for the Prince Elector's coming to Cologne was formerly sent from Spain, so that the King had seen that near a month since. I shall not fail to be his Majesty's remembrancer for your revocation in the spring, nor to serve you really at your return, which I wish prosperous. [Draft. 2 $\frac{2}{3}$ pp.]

Feb. 7.
Whitehall.

53. George Rodolph Weckherlin to Sir Thomas Roe. On Friday last, when Sec. Coke resigned his place, your letters of the 14th January were delivered with the long proposition in cipher to his Majesty, who then commanded me to decipher the same and return it into his hands, which when I had done I made bold to say somewhat of the great consequence of that worthy business, and when you were to have an answer back, but I see that there has been as yet no meeting about it. I do not neglect to solicit for you an answer, so that you may not be left long in expectance. On Sunday last Sir Henry Vane was sworn Principal Secretary of State in place of Sir John Coke, who intends to retire into the country. I have received commandment to continue in my employment under Sec. Vane, which, though it be a great grace, yet affords no benefit nor comfort at all to me for my great toil and labours in all foreign affairs. The cipher to be used between you and the Secretary of State is now in Sir Henry Vane's hands, because all the affairs of Germany, the

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Baltic, France, Holland, and Turkey are to be wholly left to his despatches ; while those of Spain, Italy, Flanders, and also (which is a matter most profitable) of Ireland are for Windebank's particular care. Home businesses are common to both, so that the one who shall prove most active, able, or fortunate shall thrive accordingly. I presume you know already that Sir John Finch is Lord Keeper, and Sir Edward Littleton his successor in the Common Pleas. Finch, by this advancement, vacates his place of Chancellor to her Majesty's Council, and Sir John Lambe is brought in to fill it, whereby arises a dispute concerning precedence, which formerly was willingly conceded to the Earl of Holland, as her Majesty's High Steward, but is now challenged by this Chancellor. As for the difference betwixt the King of Denmark and the States I cannot see, as matters now go here, how the accommodation might be advanced, unless you renew the point with this new secretary. The States' ambassadors here are also much perplexed to be so long detained without any answer. I must put the Earl of Holland in mind of that difference again, whose heart and wishes I conceive to run the same way with yours, which perhaps many others do not. [2 pp.]

Feb. 7. 54. Sir Richard Cave to Sir Thomas Roe. I have not received any
West Münster. letter from you since that about Curtius, although I hear from Mr. Adamson that you have written since. At the French ambassador's departure I had much conference with him. At first he would have fenced with me, but I fell to downright play and told him of all particular abuses and indignities offered both to the King and my master [the Elector Palatine], the ill consequence that might thereby turn upon themselves, how much they had lost the hearts of the gentry of England who wished them well, how many Spaniards and Austrians would endeavour to blow the coal in this court, how much all stranger princes throughout all Christendom were scandalised at their rigorous proceedings, and much more, whereof, if my man had not played the jack with me, I had sent you copies the same week, together with the ambassador's replies and our friendly parting, for he would needs put a compliment on me to carry a letter to my master, which afterwards I brought him, but as yet I hear no news thereof, for yesterday's letters say that he was but newly arrived at Paris. There is not anything which I do now so much solicit here, as to beseech the King and Lords of the Junto to take into their consideration what course my master [the Elector Palatine] ought to run, where and upon what he shall bestow himself when he shall be at liberty, which is now so much spoken of and expected, though my fear of the worst makes me still suspicious, for Bavaria sticks like a bur in my throat, yet I cannot see how the French can do themselves any good by his longer detention. I beseech you to keep that clause very secret which concerns the officers of the army of Saxe-Weimar. And now I come nearer to Whitehall, where you will perceive that Sec. Coke's lodgings are empty ; he is at his house at Garlick-hill. Here has been and is notable bustling. Some of your friends wish you here

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in the court; others wish your presence in the parliament; all wish you in England. The Lord Keeper keeps such a clatter in his new place, that they are already more weary of him in the Chancery than they were before in the Common Pleas. The Court, as it is generally taken notice of, is divided into a double faction; the Lieutenant of Ireland goes on still in a close high way; Sir H. Vane marches after him in a more open posture. Some wise men marvel why his lordship would so palpably affront (that word is used) Sir H. Vane to take the barony of Raby over his head, who was capable of the honour and, as 'tis said, pretended unto it himself; others give the Lord Lieutenant reason, as being heir general to the honor by descent; but most certain it is, that fiery feud there is between them. It may be the better for lookers on, for this will make them both carry their bodies swimmingly. The Scottish committees are arrived, and will be admitted to their first audience on Sunday next; I pray God his Majesty may receive that humble submission and satisfaction from them for his honour and the good of the kingdom as may confirm a settled pacification, which, I suppose, is most heartily wished by most honest good men, though his Majesty should somewhat connive at their obstinacy in the point of bishops, for upon that pin the whole business will hang. It is thought that the writs for the parliament will go forth about a fortnight hence. I will not add more here, but refer you to the enclosed for the rest. [2 pp.]

Feb. 7. 55. Archbishop Neile, of York, to Sec. Windebank. In your
Bishopthorpe. last letters you desired that either Mr. Alvey or myself should give you an account of what the Bishop of Durham did upon receipt of your letters to him. I presume that the bishop in good manners has written to inform you of the receipt of your letters and of his doing according to the directions given him. To discharge what you expect from me, I make bold to send you the enclosed papers, which, though they be too long and too many, yet I pray you to accept of them, and having read them at leisure, to judge of the carriage of the business. I presume you have received information from Sir William Belassis and Sir John Marlay what they have done upon your letters. Thanks for your great favours vouchsafed me in all my occasions, wherein my brother Dr. Newell, by my directions, is bold to trouble you. [*Seal with arms.* $\frac{3}{4}$ p.]

Feb. 8. Minutes by Nicholas of business transacted this day at the
Whitehall. Council of War. Resolved that there shall be deducted from the pay of the infantry 4*d.* per week for six months towards the charge of their tents, and 4*d.* per week for clothes, stockings, and shoes. The counties to be sent to for supply of horses for drawing cannon and train of artillery, as the last year. For the train of artillery 1,000 horses; the pay 12*d.* per diem each, and 8*d.* for a carter. The harness to be provided by the King. [*Written on the same paper as Feb. 6, No. 43.* $\frac{1}{3}$ p.]

Feb. 8. 56. Copy of the first resolution of the above minutes. [$\frac{1}{3}$ p.]

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- Feb. 8. 57. Order of the Council of War. That the Earl of Newport and
Whitehall. officers of Ordnance present in writing to this Board an estimate of
the charge for arming a troop of harquebusiers with pistols and
carbines, besides saddles and furniture for horse; also a note of how
much of the 21,285*l.* 10*s.* for the charge of provisions for the train
of artillery is to be presently paid, and when the rest is to be paid,
that warrants may be given for timely issuing of money accordingly.
[Draft. $\frac{3}{4}$ p.]
- Feb. 8. 58. Memorial for Sec. Vane to move his Majesty concerning
Whitehall. saltpetre and gunpowder. Almost identical with the requests
submitted by Samuel Cordewell, the King's gunpowder-maker, to
the Lords, and calendared under date February 4, Nos. 22 and
23. [1 p.]
- Feb. 8. 59. Particular note specifying the several items of all the total
charges for the train of artillery; total, 21,285*l.* 18*s.* [1 p.]
- Feb. 8. 60. Total of the charge of the train of artillery; viz., for supply
of the grand proportion 21,285*l.* 18*s.*, and for the monthly charge
of payment of the train of artillery and hire of horses for the same,
2,868*l.* 7*s.* 4*d.* [$\frac{2}{3}$ p.]
- Feb. 8. 61. The joint and several answers of William Hugessen and
Richard Sladden to the information of Sir John Bankes, Attorney-
General, in a suit depending in the Exchequer. First, Hugessen
saith that he believes it to be true that his Majesty is lawfully
seized in right of the crown of and in the castle of Walmer, Kent,
and that the late Sir George Pirkins was captain of the castle and
lord of the manor of Walmer, but whether he encroached and added
the land lying between the moat and the sea he knows not. He
further deposes that since he has been owner of the manor he has
destroyed the conies in all the grounds there, but denies that his
Majesty ever had any right or title to any of the lands adjoining
to the castle, or that defendant ought to be liable for the repair and
maintenance of the bank or cliff against the sea. [10 pp.]
- Feb. 8. 62. Account by Sir William Russell and Henry Vane, treasurers
of the navy, of ship-money received by virtue of writs of 1636.
Total received 189,630*l.* 4*s.* 3*d.*, leaving 6,984*l.* 3*s.* 5*d.* in arrear.
[1 p.]
- Feb. 8. 63. Similar account of ship-money for 1638. Total received
53,888*l.* 0*s.* 4*d.*, in arrear 15,861*l.* 19*s.* 8*d.* Received since the
making out of this certificate 50*l.* 8*s.* 4*d.* from the late mayor of
Barnstaple, Devon. Also on account of the arrears of 1637, 50*l.*
from the late sheriff of Wilts. [1 p.]
- Feb. 8. 64. Account of ship-money for 1638 levied and remaining in the
hands of the sheriffs, total 860*l.*; making, with the 53,888*l.* paid to
the treasurers of the navy, 54,748*l.* This week, 40*l.* of the 1636

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arrears and 50*l.* of the 1637 arrears had been paid, but no part of the arrears for 1635. The arrears of ship-money were: for 1635, 4,536*l.*; 1636, 7,009*l.*; 1637, 17,414*l.*; and 1638, 15,861*l.* Total, 44,820*l.* [1 *p.*]

Feb. 8. 65. Bill and receipt of Daniel Brattell, sinker, for 3*l.* 16*s.* 10*d.*, in payment of goods delivered for the King's service in the mint from 24th August 1637 till 26th August 1639. [1 *p.*]

Feb. 9. Release to Sir Abraham Williams, whereby he is discharged of 1,000 marks rent per annum and arrearages due by virtue of letters patent granted to him and others, 15 James I., for 21 years. These letters, which were for licensing pedlers and petty chapmen, being shortly after condemned and cancelled in parliament. [*Docquet.*]

Feb. 9. Dispensation to John Weekes, B.D., enabling him to hold, together with the rectory of Sherwell, Devon, the vicarage of Banwell, Somerset, in the diocese of Bath and Wells, for three years, with a clause of permutation for any others within the distance of 30 miles. [*Docquet.*]

Feb. 9. Warrant to the Exchequer and to the Society of Soapmakers of London to pay, out of the moneys to be by them received for the years 1640 and 1641, to the Earl of Manchester, 4,000*l.*, lent by him to his Majesty with interest at the rate of 8*l.* per cent. per annum. [*Docquet.*]

Feb. 9. Petition of Sir Walter Roberts, Bart., to the King. That upon the death of George Gage, the undertakers being petitioner's partners, made choice of petitioner, as one experienced in works of that nature, to have the ordering and oversight of the aqueduct, which they contracted with your Majesty to bring from Hoddesdon, in Herts, to London and Westminster, in a channel of brick or stone, and his election was confirmed by the Lord Treasurer and Lord Cottington, and by an order in council; this trust and employment petitioner has faithfully performed ever since Michaelmas 1638, and has put the business in such forwardness that if he be suffered to go on without interruption he shall this summer perfect six miles of the aqueduct. Though nothing has been done in this work since Mr. Gage's death, except under petitioner's direction, who this year has saved the company above 300*l.*, and will save 3,000*l.* in the whole work, if his direction be followed, yet some of the undertakers, merely because petitioner would not consent that 870*l.* of the money which your Majesty has appointed for that work should be lent to Mr. Rawleigh at interest, have discharged him of his employment without any allowance for his care and pains in the past, and have chosen Messrs. Rawleigh and Newce, men who have had no experience at all in works of this nature, in his stead to your Majesty's disservice and the scandal of petitioner. Prays the King to favour him so far as to hear this cause in person, and to settle

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the business in such manner as he shall find most beneficial, and for the good of the work. *Underwritten,*

I. *Reference to the Lord Treasurer and to the Lords Goring and Cottington, who are to determine these differences if they can, or else to certify the King the true state of the business, together with their opinions, when he will signify his further pleasure. Whitehall, 9th Feb. 1639-40. [Copy. See Book of Petitions, Vol. cccviii., p. 148. 1½ p.]*

Feb. 9.
Edinburgh
Castle.

66. Patrick Lord Ettrick to the King. Your Majesty's ships Expedition and Providence arrived here on Thursday last, and Capt. Shipman delivered your letters to the provost about 4 p.m., who would not suffer him to go to the castle that evening lest he should be offered some violence by the common people, then apt to mutiny, as he pretended. The provost kept the keys of the house where the Captain lodged that night, and in the morning I sent my secretary to conduct him to the castle, which he did, no affront being offered him by the way. At 8 a.m. I received your letters, and forthwith required an answer from the provost, letting him understand that I should esteem the delay of his answer no less than a denial, and that I must that day send post to your Majesty an account of the business, which the more hastened the Council to convene about it, who, having met that day, showed me their particular willingness to obey your commands, but withal desired to gain the consent of the common people, that they might not any way disturb them in their performance of the service, which they both promised me should be done the next morning, and also used their diligence therein, as I conceive really, and have promised me that the service shall be in every particular performed according to your letters, in which they will begin to-morrow early in the morning, according to the contents of their letters, herewith sent to your Majesty, on which they had not fully resolved until Saturday night about 6 o'clock. The Earl of Rothes being come to Edinburgh two hours before, whom they sent for, at which time they knew I was ready to send post to your Majesty to signify their delays, which, with the fear also of some further danger, made them forthwith give me their full answer, expressed in their letters to your Majesty. When I have seen their performance, I shall give you a speedy account thereof, and also of any neglect in the service through their occasion. I should not have thus long deferred to give you account of this business, had I not seen fair appearance that your commands herein would be obeyed. I humbly desire to receive your answer to my letters of the 27th ult., which the Lord Commissioner [Traquair] received of me to send to you with all speed, as well as your articles of war, that I may use such discipline here as you may not disapprove of, for I have hitherto forborne to inflict such severe punishment as some have deserved, which may cause further insolencies, if they are not prevented; also your directions how I shall behave myself in your service hereafter, on all occasions that may be presented. I again desire your speedy

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answer hereunto; and as long as God give me life and health I shall not fail to use all diligence in obeying your commands, and shall strive all ways to further your service here or in any other particular. [*Endorsed by Sec. Windebank, "Delivered to me by his Majesty, 15th February." 2 pp.*]

Feb. 9.
Edinburgh.

67. The provost, bailies, and council of Edinburgh to the King. We no sooner received your Majesty's commands, which were seconded by the earnest desires of the governor of the castle, but with all possible diligence we bethought us how we might give most ample testimony of our obedience, and although the admitting of such as were not natives, [being] repugnant to the standing laws of this kingdom, might appear to be a stumbling block to us, as likewise the way how to give satisfaction to the minds of many who apprehended great danger from the extraordinary provision of ammunition in the hands of such as were not natives, has been most difficult, yet to stop the mouths of our adversaries and to give your Majesty an undoubted proof how tender our minds are in the point of obedience to your commands, and to shun the smallest ground of misconstruction, we have resolved to the uttermost of our powers to obey all these your Majesty's commandments without delay, whereof so soon as the minds of the inhabitants, whose help we must use, having no others, are prepared and the work going on, we shall render your Majesty a more full account, which we hope will be within a few days; like as we shall never fail in the truth of our hearts to pray that your Majesty may long and prosperously reign over your most humble, loyal, and obedient subjects the provost, bailies, and council of your burgh of Edinburgh. (Signed by) William Dick, provost; and George Suttie, Stephen Boyde, James Rucherd, and John Binny, bailies. [*Endorsed by Sec. Windebank, "Delivered to me by his Majesty 16th February." 1 p.*]

Feb. 9. 67A. Copy of the preceding. [1 p.]

Feb. 9.

68. Remonstrance of Philip Earl of Pembroke and Montgomery, and his association in the royal fishing of Great Britain and Ireland, to the King. That this association, in conformity to your gracious motives proposed in your first institution of the noble work of fishery, did about seven years ago, with great cost and labour, undertake and prosecute that improvement. Notwithstanding that, after the establishment of a factory at the Isle of Lewis, they, by the ill dealing of their servants, as well Scotch as English, lost the whole of their stock adventured in the first two years, and became deeply indebted, whereupon a number of the adventurers, contrary to their subscriptions, forbore to make any further supply of stock: yet the Earl and sundry of his associates, by continuing their supply of stock and applying themselves chiefly to the herring fishery, have attained to the true and perfect art of taking and curing herrings, making nets and cask fit for that purpose, and building busses, and have also found out the foreign market for that com-

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modity. What increase this noble work, if effectually prosecuted, will bring to navigation, what improvement to your people, what honour to your kingdom, your Majesty sufficiently knows. But, howsoever, by their pains and cost they have brought the enterprise to such perfection, yet have they been encountered with other extraordinary discouragements. The Dunkirkers and other subjects of the King of Spain in the Low Countries have taken sundry of their busses, imprisoned and evil entreated their men, some of whom have died in prison, and others only saved by being ransomed at great sums. These damages are estimated by the association at 5,000*l.*, exclusive of Mr. Braems' losses, by reason whereof they are not able without new supply of stock to set out their busses to sea again. They can only represent this matter to your Majesty, leaving it to you to direct some way for the continuance and support of so excellent and profitable an employment, that a work so hopeful may not be lost. Towards the cost of setting out their busses the next summer, they pray a grant of a standing lottery, as the Virginia Company had in 1612, to be managed by the most discreet of their association, also that your Majesty would order some further course to be taken for recovery of their damages from the Dunkirkers and subjects of the King of Spain, and that the men, ships, and busses belonging to this association may be protected in future. [2 pp.]
Subjoined,

68. I. *Upon consideration of this remonstrance, his Majesty being present in Council, it was resolved that the Earl and the rest of the adventurers should, if they thought fit, send an agent to demand restitution and satisfaction for their losses by the Dunkirkers, which being denied to them, then letters of marque, or such other remedy as shall be found fit, should be granted to them; and for the better support and encouragement of that trade his Majesty is pleased, as desired, to grant a standing lottery, like that granted to the Virginia Company.* [$\frac{2}{3}$ p.]

Feb. 9.
 Whitehall.

69. Order of Council, the King being present. Debate was this day had concerning the trades of bringing in and retailing sea-coal. Ordered that a month should be given to the Lord Mayor and aldermen of the city, the Company of Woodmongers, and the hostmen of Newcastle, or any others, to present any new propositions to the Board for the better ordering of the coal trade and accommodation of the city, either by a free trade or otherwise, provided that the duty to be paid to the King be well secured; but in case such propositions and the security for the King's duty be not approved by the Lords, then the former contract made with the society of coal merchants and the former orders of the Board made for upholding that contract and regulating their trade are to be ratified, as are also the orders made by the society for the same purpose, and entered in the council register. [*Copy.* 1 p.]

Feb. 9.
 Wonastow.

70. John Milborne, sheriff of co. Monmouth, to the Council. In the fifth article of my instructions you direct that I should

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proceed to rate the clergy to the ship-money as other his Majesty's subjects, and if any clergyman should find himself aggrieved upon complaint made to his diocesan, that then I, with such other person as the diocesan should appoint, should hear the complaint, and if there were cause, relieve the complainant according to equity. By virtue of which instructions Bishop Murray of Landaff and myself met to hear the complaint of Henry James, clerk, rector of Machen, who complained that he was rated above the tenth part of the rate imposed upon the whole parish, which the bishop approved as a just cause, but I would not assent to, because I had no such directions from the Lords. I crave your speedy direction herein, for if there happen to be any alteration in this case, all that is already done must be altered and renewed. I find the general way of rating the clergy and others in this county of Monmouth is by the pound yearly, according to which rate the complainant is very easily dealt with, and has no just cause to complain. The laity conceive that this is the just way of rating the clergy, for if the tithes and church profits should pay but the tenth part of the tax of the parish, then a parsonage of 100*l.* or 120*l.* per annum should pay no more than a farm of 50*l.* per annum, for the parson receives the tenths of all the profits which the husbandman can raise out of his farm by his stock with his own and his servants' industry, which must be more than double the rent of his farm, or else he will not be able to live upon it; so that where all the land in the parish is not worth above 400*l.* or 500*l.* per annum, the parsonage is most commonly worth 120*l.* per annum, or more. And whereas I received your letter of the 12th January requiring me to pay in the money by the 20th of February, together with an account of my proceedings, I have to certify you that although I used my best endeavours to perform your directions, yet there were so many complaints made to me of pressures and wrong dealing in the particular assessments by the constables that I cannot possibly accomplish your commands so speedily as is expected, unless I were to give the county just cause to exclaim upon me. [1½ *p.*]

Feb. 10. Grant to Edward Mannyng, in consideration of 500*l.* to be paid into the Exchequer, of 70 acres of waste, parcel of the late forest of Selwood, Somerset, in common socage, and a discharge from all forest laws, rights and privileges of forest, with liberty of free warren and power to convert the same into meadow and pasture. [*Docquet.*]

Feb. 10. The like to Symon Plicher of a fine of 500*l.* imposed on John Thierry, for cheating the former of a bar of silver, value 290*l.* [*Docquet.*]

Feb. 10. 71. Order of the Council of War that Sir William Uvedale, Whitehall. treasurer at wars, John Crane, surveyor of marine victuals, and Nicholas Pay, clerk of the kitchen, do consider of the propositions made for furnishing Berwick with beer by the King's brewer and

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others, and do endeavour to draw them to as low a rate as they can for the King's advantage. [*Draft.* 1 p.]

Feb. 10.
Whitehall.

72. Order of the Council of War that Montjoy, Earl of Newport, Master of the Ordnance, Viscount Conway, Colonel Goring, Sir Jacob Astley, and Sir Nicholas Byron, do consider of the note of ordnance and ammunition remaining at Berwick, and certify the Board what they conceive fit to be repaired or supplied. [*Draft.* $\frac{2}{3}$ p.]

Feb. 10.
Exeter.

73. James Tucker, late mayor, and Thomas Tucker, late sheriff of Exeter, to the Council. Pray further time until the end of March to collect arrears of ship-money for their term of office. [*Seal with arms.* 1 p.] *Enclosed,*

73. 1. *Note of the names of inhabitants within the city of Exeter who have refused to pay their rates for ship-money the last year.* [$\frac{1}{3}$ p.]

Feb. 10.

74. Commissioners for licensing the sale of tobacco to the same. Pray the Lords to grant warrant to a messenger for apprehending the 43 persons herein named, resident in co. Carmarthen, who in contempt of his Majesty's commission refuse to appear to the Commissioners' summons. [1 p.]

Feb. 10.

75. Certificate returned, in obedience to a Council order of the 5th inst., of the loss sustained by certain vintners on their purchases of wines. [2 pp.]

Feb. 10.
Barbican.

76. John Earl of Bridgewater to Sec. Windebank. I am sorry that the note I sent you gave no better satisfaction to the party who was to lend the 5,000*l*. I hold those lands sufficient security for a greater sum, and if I were in case to lend, as I am enforced to borrow that I may lend, I would confirm my opinion by my act and would not stick at such security. If I knew the name of the party who refuses, I think I could persuade him to be of another mind; but since you are pleased to conceal his name and to send me word that if I will engage one solid entire manor free from encumbrances and of a clear title 7,000*l*. may be procured, I must deal herein clearly and sincerely, as I have done and ever hope to do, [and assure you] that I have not any manor of such value free from engagements. I wish I had, for then it should appear, that howsoever others may make more lustre in their show for his Majesty's service, there should none appear more real therein than myself. I doubt not but if I may hear where money is to be had upon security, I shall procure more upon those lands mentioned in my note than I offered to engage them for, and I have done and will do all that I possibly can to make up the sum mentioned to the Lord Treasurer and yourself. [1 p.]

Feb. 10.
New College,
Oxford.

77. Robert Pinck, D.D., warden of New College, Oxford, to Sec. Windebank. I received your letter sent by Dr. Reade, and will here represent to you how far I stand engaged for my little influence in the Winchester elections. There is now in that school

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a near relative of mine whom I placed there with hope that in time he would prove worthy of what more I might be able to do for him, and finding him to have progressed satisfactorily in his learning, I promised him my best help and furtherance towards his preferment at our next election. The time has been that I could not prevail with my co-electors so far as to have the nomination of one scholar, but the times are now better with me; I will make it my second care and suit to the other electors to have your kinsman in as forward a place as I can win them to give way to, which is all that is in my power to do. [*Seal with device.* 1 p.]

Feb. 10.

78. Petition of Thomas Trollop to Archbishop Laud. His father's estate lying within several dioceses, petitioner by the advice of his counsel proved his late father's will in the prerogative court; since which time Dr. Farmery, chancellor of Lincoln, called petitioner into his court to prove the same will there again, which Sir Henry Marten persuaded petitioner he could not justly do. Petitioner being desirous of peace, requested Dr. Farmery to refer the determination of this difference to your Grace, to whom the jurisdiction of both courts did then appertain, which he is very willing to do, having already acquainted you with this particular business, where-with petitioner has been put to a great deal of charge and trouble. Prays the Archbishop to make an order in this case, to which he promises willingly to submit. *Underwritten,*

78. I. *Reference to Sir John Lambe, who is to speak with Dr. Farmery and return an account of the case to the Archbishop that he may settle this particular.* [1 p.]

Feb. 10.
Emanuel
College,
Cambridge.

79. Dr. Richard Holdsworth, Archdeacon of Huntingdon, to Sir John Lambe. Having ten days since received from you some directions for settling the difference at St. Ives, it becomes me now to give you an account of it, entreating you to acquaint his Grace the Archbishop therewithal as you shall find opportunity. On Friday last I went to St. Ives for that purpose, in order to save the petitioners' charges, and to satisfy myself by hearing all parties and by viewing their church. I found that although the church be large, the communicants can both hear and see the curate at consecration of the mysteries, the height of two or three pews only requiring to be corrected. This was their chief exception. Their other reasons for refusing I account their own fancies, viz., that the coming to the rail was nowhere directed in Scripture; that it is not prescribed by law; that it is against their christian liberty to be tied to it; that it interrupts their meditations, if they removed only two paces from their seats; that Mr. Tooky, their sometime vicar, being a reverend and holy man, did bring down the table into the body of the church at the times of administration. In all these points you will conceive it was easy enough to give them satisfaction, but that they were resolved not to take it, nor to yield to any persuasions, though never so pious and reasonable. I feared thus much before I came thither, some of them having let fall these

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speeches, as averred by good witness: that they would fain see who durst make an order to enjoin them to come up to the communion table; that if they were enjoined anything more than they approved, they would not obey, but would up again to London; and other of the like nature, only more intemperate; all which I passed by to draw them by fair usage, but with little success, for in their answers they were resolute, yet various. Some of them that they would have the sacrament administered to them in their seats, for that they would not come up to the rail, though it stood in the midst of the church; others that they would come to the table if the rail were taken away; others that they would come to the rail itself if I would give [the order] under my hand; which is in sum the course upon which I resolved, and so I gave them my order, which I send you here enclosed. To this determination necessity enforced me, knowing no way else to keep up discipline, neither did I only adhere to my own judgment, but advised with divers of the gravest ministers thereabout, who assured me I should do a great deal of hurt to all neighbouring parishes if I suffered them to have their will, which is one principal thing they aimed at, victory; their intention being, as they said, to have this a leading case for all the country. Besides, the better sort of the parishioners being sober and ingenuous men, besought me earnestly to be sensible how great a discouragement it would be to persons conformable, and what a division it would breed in the body of the parish, who did well approve of this manner of receiving, and accordingly had unanimously practised it. Therefore I hope I have not strayed either from the rule of discretion or piety in this order, being otherwise very inclinable to have yielded to them in this their weakness, or rather pertinacy, if I could have swallowed so many and important considerations. Howsoever, I submit it to his Grace's approbation, and shall be well content to recall it, if he should think any other way more fitting. [*Seal with arms, broken.* 1 p.] *Enclosed,*

79. 1. *Dr. Holdsworth's order, made the 8th February, for the coming up of the communicants to the rail of the communion table in St. Ives Church.* [1 p.]

Feb. 10. 80. Copy of the preceding and its enclosure. [3½ pp.]

[Feb. 10.] 81. Certificate by John Rennold, curate of St. Ives, of insolencies uttered by some of the parishioners, touching the order for coming up to the communion table and the intervention of Dr. Holdsworth.

Feb. [10.] 82. The Officers of Ordnance to Montjoy Earl of Newport. By your warrant of the 5th inst. we understand that the Lords have resolved that there should be always in constant readiness in the magazine in the Tower a quantity of all sorts of timber useful for making gun carriages, platforms, and other necessary uses for land and sea. You further required us to make an estimate of the value of the timber at present in the custody of Matthew Bankes, his Majesty's master carpenter for the Ordnance, according to a survey

Office of
Ordnance.

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lately made by Capt. Coningsby, and to certify you our opinions whether the timber may be securely kept where it now remains, or otherwise what the charge would be to remove it into his Majesty's stores; also what timber is necessary to be felled the year ensuing to make that already surveyed into a complete store, so that the Lords may order the money to be issued to defray the charge. In obedience to the Lords' direction and resolution we return this answer: That for the timber in the possession of Bankes we cannot make a more particular estimate of the valuation. If money be not forthwith issued for the said timber, Bankes desires liberty to dispose thereof for his best advantage, not being otherwise able to subsist through having so great a stock lying dead on his hands. We think it our duty to inform the Lords that if this proportion of timber be disposed of for other uses than for his Majesty's occasions, such a parcel cannot suddenly be had for money. Recommend that Bankes be satisfied for the timber, the value of which amounts to 1,600*l.*, it will make 300 [gun] carriages, with their appurtenances, 6,000 foot for platforms, and 300 tons to make joists. We are of opinion that the timber is better and safer to remain where it is than to be removed into the Tower. As to what addition of timber is necessary to be felled the year ensuing, we cannot positively answer, it being impossible for us to set down a certain proportion for completing his Majesty's stores, but we understand from Mr. Bankes that there is a bargain of well-seasoned timber now offered him to the value of 4,000*l.* [*Copy. 1½ p.*]

Feb. 10. 83. John Nicholas to his son Edward Nicholas. Your sister Ryves is deeply thankful that you will be willing to assist her in her just suit. I have read over your letter again and again wherein you wrote you saw no reason for the suit, since the possession and lease both were delivered, but cannot comprehend your meaning. For the cries made to me against you, of which you say you are not ignorant, I cannot imagine what you mean thereby, and wish you would let me know it, for I cannot nor ever will conceal anything from you. Your sister desires you will own her, and when she has cause, that you will afford her your countenance, being all she desires, which your letter promises, and I doubt not you will perform, for you are kind to strangers. [*Seal with crest and arms. 2 pp.*]

Feb. 10. 84. William Middelton to John Gascoign, at Arundel gate-house, London. Your letter came not to my hands until after Mr. Hungate's departure hence. I am from my mother to give you many thanks. They have given her some hope of my brother's recovery, of whom she formerly despaired. The Lords Covenanters who are now at court made some stay at Wetherby, as they pretended to frame their petitions to the King. I rather believe they expected some advertisement from their friends near his Majesty how to proceed; whatsoever be the event, I assure you, they spoke here most insolently in their own justification, comparing the King to a school boy under his pedagogue, I use their phrase, who by himself

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- had given them satisfaction, but now under that command had infringed them; the man of this extreme power they intimate to be my Lord of Canterbury. This they freely spoke to one of their own nation who told it me. [*Seal with arms broken.* 1 p.]
- Feb. 10. 85. A relation concerning the Scots' proceedings, their natures and present estate, with their intentions and some ways to animate this country against them and divide themselves, by one who has long resided in Scotland. [$2\frac{1}{4}$ pp.]
- Feb. 10. 86. A note of money to be issued for ordnance stores to be set in hand for the army. Total, 9,000*l.* [$\frac{1}{2}$ p.]
- Feb. 10. 87. Estimate of the charge of the army, distributed under several heads. Total, 382,611*l.* [*Draft by Nicholas.* 1 p.]
- Feb. 10. 88. A note received by Nicholas from the Office of Ordnance of the number of saddles in the stores in London and the North, total, 1,783; also the proportion which the saddler belonging to that office will undertake to deliver monthly, viz., 80. [$\frac{1}{2}$ p.]
- Feb. 10. 89. Certificate of the state of accompts in the suit of Benjamin Lewis against Edith Beconsawe. The plaintiff is to answer to the defendant, 157*l.* being the remainder of the rent. [$\frac{2}{3}$ p.]

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- Feb. 11. Petition of the Mayor, Aldermen, and Citizens of Chichester to the King. That whereas it pleased his Majesty for order to be made at the Council Board, the 17th of December last, requiring petitioners to surrender their charter 15 Jacobi, and receive a new one to the same purpose with the later charter 19 Jacobi, only the liberties of the dean and chapter were to be admitted, and for that some things were admitted out of the former charters necessary for petitioners to be sued for, both for the more [fully] effecting his Majesty's commands, as also for the ease and benefit of this city, it was desired that the King would refer the things, in the paper annexed to the petition, to the Attorney-General, that he might in drawing up the new charter by way of addition or confirmation confirm them to the petitioners. *Underwritten,*
- I. *Reference to the Attorney-General, who is to consider of this petition and the desired privileges annexed, and to certify his Majesty his opinion whether they be fit to be granted, whereupon he will signify his further pleasure. Special care is to be taken that nothing pass in prejudice of the church. Whitehall, 11th Feb. 1639-40. [Copy. See Book of Petitions, Vol. cccviii., p. 149. 1 p.]*
- Feb. 11. Petition of the Dean and Chapter of Worcester to the King. The causeys and highways near the city of Worcester, leading towards Stowton [Stoulton], Swineshead [in Gloucestershire], and

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Kempsey, are much decayed, the repairs of which belong by law, as petitioners are informed, to such only as have lands adjoining or to certain parishes; notwithstanding which the present Dean and Chapter and their predecessors have often contributed in a liberal manner towards the repair of these ways out of their mere charity and free benevolence, as is confessed under the hands of such as from time to time have received their moneys given to that good use. But now their former great charity is like to be turned to their prejudice, if some men, who are concerned in that charge, may have their will, who threaten to indict petitioners at their sessions and to force upon them, against all reason and conscience, the whole burden of repairing those causeys, pretending that of right they ought to do it; whereas petitioners are not any way obliged to any part of that charge nor able to support it, being already brought to very great necessity by the heavy and perpetual expense of repairing their edifices, and especially the great and goodly fabric of the cathedral church of Worcester, which lies wholly and solely upon them, and which being formerly too long neglected and built of a soft and mouldering stone, still decaying, has cost them within these past 13 years above 2,000*l.*, besides which it requires many thousands more to make it strong and fair, as it ought to be; in addition to this charge they disburse about 40*l.* yearly in alms to the poor of the city, which with their other ordinary burdens necessitates them every year to borrow money for which they are often forced to pay interest, and to forbear their own private salaries for supplying the public necessities. They therefore pray your Majesty, out of your princely piety, your love of public justice and care over all such churches, being the religious foundations of your royal progenitors, to prevent their oppression, and relieve them in this their extreme grievance, either by referring the hearing and determining of this cause to the Archbishop of Canterbury, the Lord Keeper, the Lord Treasurer, and the Lord Privy Seal, or otherwise as you shall think fit. *Underwritten,*

- I. *Reference as prayed. The referees to examine to whom the repair of these ways by right appertains, and either to order them forthwith to amend the same, or else certify the King what they find, together with their opinions of the whole business, whereupon his Majesty will signify his further pleasure. Whitehall, 11th February 1639-40. [Copy. See Book of Petitions, Vol. cccviii., p. 150. 1½ p.]*

Feb. 11. Report of the Lord Treasurer, Lord Cottington, and Attorney-General Bankes to the King. Upon a reference from your Majesty [see last Vol. of Calendar, p. 485,] concerning Mrs. Margaret Kirby's pretences to 3,500 acres in Sutton Marsh in March 1638[-9], we certified your Majesty, that admitting Mrs. Kirby's own accompt, save only 6,000*l.* for purchase of lands, and 12,851*l.* for interest, the sum remaining to her amounted to 17,000*l.* But withal we informed your Majesty that the country in their petition allege that the adventurers have received more money by the crops of

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the said marsh than was expended in embanking and improving the same, and so left it to your judgment what to order thereupon, which produced your command for a commission to issue out of the Exchequer for examining the charge of the same, upon return whereof we referred the same to the Surveyor-General and the auditor of the county, who found that from the year 1631 to 1637 the embanking and sluicing of that work amounted to 13,781*l.* 15*s.* 11*d.*; but they were of opinion that if the marsh were now to be embanked a far less sum might have been expended herein. The clear profits made of the marsh, at the least rate, they found amounted to 10,000*l.* The particulars here stated were not examined by the Surveyor-General and auditor, but by your Majesty's permission have been since presented to us. To which particulars we can only take these exceptions. In our former certificate we thought fit to disallow the 6,000*l.* for buying in the titles, and the interest money, which was then reckoned at 12,000*l.*, but now 15,000*l.* Of the 956*l.* for rent there has been paid only 400*l.*, and we conceive no more ought to be allowed. The 1,230*l.* being principally for Tydd St. Mary, we believe it fit to be charged thereupon. So the sums we allow in this report make the demand fall from 17,000*l.* to 7,397*l.* 7*s.* 6*d.* All which we humbly submit to your wisdom. 11th February 1639[-40]. *Underwritten by Sec. Windebank,*

- I. *According to your Lordship's report in this business, petitioned for by Mrs. Kirby, his Majesty commanded me to signify his pleasure to you, that he approves very well of what is certified herein, and, for conclusion thereof, further refers to you to advise the best and speediest way to satisfy the petitioner the sum you have conceived to be due to her in your report, and herein you are to make a present return to his Majesty. To Bishop Juxon, Lord Treasurer. Whitehall, 4th April 1640. [Copy. See Book of Petitions, Vol. cccviii., p. 173. 2 pp.]*

Feb. 11.
Castleton.

1. Robert Holte, sheriff of the county palatine of Lancaster, to the Council. Gives an account of his proceedings in the ship-money. On the 24th January, the high constables, according to appointment, came and made their several answers touching the imposition of assessments on the several hundreds. Only the constables of one hundred, and that the least in the county, brought any assessment; the rest alleged that the persons they required in every town to assist them in assessing the ship-money refused to join with them; in some places they alleged that they were not able to pay it, others quarrelled with the assessment imposed by me on their hundred, and in consequence the high constables had not assessed the same on the several parishes, because they did not conceive that they had power to do so, without the assistance of some discreet and sufficient persons within every town. Upon return of which answers I granted them new precepts, commanding them to require such assistance for the subdividing of the assessments, and in case they had no such assistance to proceed by the best means they could to make an indifferent and equal assessment, and to bring the same

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to me on the 5th February, on which day all the high constables appeared and brought their several assessments, whereupon I issued my warrants to the constables for levying and collecting the money so assessed. By reason of these unnecessary delays of the high constables and the backwardness of the people to this service, I could not put the business into that forwardness as to have any of the money levied and paid in by the time the Lords commanded; yet I shall not cease to expedite the levying of the same so soon as possibly I can; but I perceive that the country in general is very averse to the payment of this money, and that it will be great trouble and much difficulty to levy the same. [1 p.]

Feb. 11.
Drury Lane.

2. [Sec. Windebank] to Sir Michael Ernle. I acquainted the Lords of the Committee [of Council for War] with your certificates of the stores and state of the houses and magazines [at Berwick], of which they approved, and will give you further direction in all those particulars very shortly. As for what you wrote, that you had thought on a way for supplying the Castle of Edinburgh with men, which you believed would have taken effect, but that you had received my order to the contrary, I believe this to be a great misunderstanding, seeing I never gave you any such order to the contrary. I only acquainted you that his Majesty had sent a ship to Leith with ammunition and men to be conveyed openly and avowedly into Edinburgh Castle, but I gave you no order to forbear the pursuing of any design you had to that purpose. And therefore, if you have any such fair way of effecting that service, you are to put it in execution, that so, if that which his Majesty has attempted openly shall fail, yours may be put in practice; and to this end you will find in a letter I lately wrote to you that his Majesty's pleasure is you shall make use of some of the men in the garrison [of Berwick], because in a former of yours you seemed to find more difficulty in procuring the men than in conveying them into the castle, and that such as you shall employ of the garrison shall be supplied to you again. You are likewise ordered by that letter to promise them extraordinary reward for the service, which shall be allowed to you again. So I desire you not to neglect any means for supplying the Castle at Edinburgh with men, which his Majesty takes much to heart, and his service is highly concerned in it. [Draft. 1 p.]

Feb. 11.
Berwick,

3. Sir Michael Ernle to Sec. Windebank. By yours of the 25th January I received express order to send some men secretly into Edinburgh Castle. I sent immediately to the governor for his opinion as you gave order, but in your letter of the 28th ult. I mistook, as it seems, your intention. Your words were these: "that whereas I had order for the sending of men secretly and by stealth I must now understand that the King is pleased to send 100 men by sea, for the reinforcing of that castle, and in case they were refused they were to repair to me at Berwick." This I took to be a discharge of your former order. I only acquainted Capt. Lloyd and Mr. Payler, who understood it as I did; but now in your last

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of the 4th inst. I have absolute order, and perceive my mistake, for which I must humbly desire your pardon. I have already got 14 or 15 very proper men, who, I doubt not, will be there before this come to your hands. I will every day send some as I can get them. I have nothing worth informing you of at this time. [*Seal with arms, broken.* $\frac{3}{4}$ p.]

Feb. 11. 4. Deposition of Henry Carr, touching the coming of Sir Walter Riddell and two other Scotchmen to his father's inn at Newcastle. It was reported, after these Scotchmen were gone out of Newcastle, that they had viewed the strength of that town. It was also reported that the mayor should have entertained them, it being the usual custom of the place for the mayor to invite men of good fashion; and, after their departure, that Sir John Marlay should say to the mayor that he did not know what he had done, to which the mayor answered that he, Sir John, being a justice of peace, might have stayed them, if he had known they had not been the King's friends; but I cannot cite any author for this particular. I know they had not all their diet at my father's house, but where they had it I know not. It was further reported after Sir Walter Riddell's departure that he was a covenanter, and that his brother was an ensign. If I have done or spoken anything that is not fitting, I am heartily sorry for it, hoping of my releasement. [1 p.]

Feb. 11. 5. Particulars of an agreement made by Sir William Uvedale, Mr. Crane, and Mr. Pay, with Robert Haughton, the King's brewer, for beer to be brewed at Berwick for 10,000 men. He is to brew there after the rate of 145 tuns per week, and to avoid sending of any from London, he is to have 500 tuns ready brewed in his storehouse fit for the service of the King's army by the last day of June, and from thenceforth shall maintain a store, so as to have 12 or 14 days' provision beforehand, until he shall have warning to surcease brewing. [$1\frac{1}{4}$ p.]

Feb. 11. 6. J. Stewart to Mr. Hearne, at the Blue Anchor in Cheapside.
Edinburgh. I am sorry you have so just challenge of my neglect of duty, and likewise my remitting money to others. Some have expressed your jealousy against me because of the times. [*Seal with arms.* $\frac{1}{2}$ p.]

Feb. 11. 7. Sir Anthony Thomas to Mr. Long. If the Earl of Lindsey will remit the 60 acres under Keal Hill, co. Lincoln, being allowed his charges for enclosing, I entreat you to present to him and Lord Willoughby 200 acres under Toynton, which, with 174 acres already had, amount to 374 acres, in consideration of their noble favours to be showed towards the settling my peace in the fen business. [$\frac{1}{2}$ p.]

Feb. 11. 8. Affidavit of Henry Browne, that the last year he being one of the constables of the town of Grantham, co. Lincoln, was charged to conduct the soldiers raised in that town to Great Coates, near Grimsby, to be there received of their captains, and shipped for to serve his Majesty in the late northern expedition. Whilst waiting for transport this deponent being much importuned by some of the

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soldiers of Capt. Hammond's band, did move that officer to accept substitutes to serve in their rooms, to which he assented, provided the soldiers would be at the charge of hiring such substitutes, and the money so paid to this deponent for that purpose he handed over to the captain, who affirmed that he would procure the necessary substitutes. Part of this money was lent by deponent out of his own purse to the said soldiers, which, since this inquiry was made, these soldiers will not repay, and this deponent further saith that some money which he is charged to have received by the information he never received, and the rest which he did receive he paid over to the captain and his officers. [1 p.]

Feb. 11. 9. Affidavit of Francis Freeman, of Wilby, co. Northampton, husbandman, that upon Sunday, 29th of December last, a man calling himself Davenport accosted him as he was leaving church, and said that he had a warrant to him from the Council, to whom this deponent answered that he would obey it, desiring Davenport to show it, which the latter refusing, he persisted in going home to his dinner, but offered no opposition, always professing his readiness to obey the warrant. [1 p.]

Feb. 11. 10. Order made in the Court of Wards and Liveries in the suit of Lady Anne Beauchamp, mother of Edward Lewis, the King's ward, by information plaintiff on behalf of the ward, against Bishop Murray, of Landaff, and Marmaduke and George Matthews, defendants. It is now ordered that the possession of the manors of Landaff and Bishopstone or Bishton-in-Gower shall be decreed to the plaintiff. [1 p.]

Feb. 11. 11. Notes of business to be proceeded with [in the Queen's Court] at Denmark House, relative to her estates in cos. Lincoln, Berks, Cumberland, and Notts. [$\frac{1}{2}$ p.]

Feb. 12. Pardon to William White, convicted at the Berkshire assizes of stealing three horses, but reprieved by Justice Jones upon signification of his Majesty's pleasure. [*Docquet.*]

Feb. 12. Grant of an almsroom to Thomas Lewis in the Cathedral of Rochester, void by the death of John Palmer. [*Docquet.*]

Feb. 12. Minutes by Nicholas of business transacted this day at the Council
Whitehall. of War. Resolved that there shall be raised for the Lord-General's guard of horse 100 cuirassiers and 60 harquebusiers with officers as other troops. The captains to have 2*l.* 4*s.* 0*d.* per diem [*sic*] besides six horses, and the charge to be added by the auditor to the list. The five troops of horse to be raised for the garrisons of Berwick and Carlisle to be taken into pay so soon as 40 of their 60 horses shall be brought to the rendezvous at Nottingham. The indentures for the standing troops for Berwick and Carlisle and for the troops for the army are to be different; in the latter a proviso is to be inserted that if the arms be returned in good condition into the King's store the soldier shall have his money returned. [*Written on the same paper as Feb. 6, No. 43.* $\frac{3}{4}$ p.]

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Feb. 12. Copy of the proviso in the last clause of the preceding entry.
[*Written on the same paper as Feb. 8, No. 56. $\frac{1}{2}$ p.*]

Feb. 12.
Whitehall.

12. His Majesty's pleasure signified by Sec. Windebank that the Archbishop of Canterbury, the Earl Marshal, the Lord Chamberlain, and the Lieutenant-General of Ireland, with the two Principal Secretaries of State, shall call before them Sir Thomas Holt, Bart., and Edward Holt, Esq., his son, and determine the differences between them if they can; otherwise certify his Majesty the true state of the same, together with their opinions of the business, whereupon he will signify his further pleasure. [$\frac{2}{3}$ p.] *Subjoined,*

12. 1. *Order of the referees appointing the hearing of this business at the Council table for 21st inst., when Sir Thomas Holt and any else whom it may concern are to attend. 13th Feb. 1639-[40]. [$\frac{1}{2}$ p.]*

Feb. 12. 13. Duplicate of the preceding, but without the order of the referees. [$\frac{2}{3}$ p.]

Feb. 12. 14. Bishop Juxon, of London, to the King. The supplication of the petitioner [Capt. James Duppa] to your Majesty falls under the following heads: First, to be allowed 1,890*l.* for charges and expenses in the business of the malting and brewing [licenses; see Vol. ccccviii., Nos. 18 and 19] during the time of the late commission. Secondly, to be considered for his seven years' service in preparing the business and bringing the maltsters and brewers to a conformity, and herein he values his charges at 3,000*l.* Lastly, that he may be authorised to return the bonds of the maltsters and brewers remaining in his hands, they rendering back their licenses and being content to lose their fines and rent paid. The Attorney-General having considered with me the demands and reasons annexed, we thought it our duty to certify our opinion as follows: 1st. Though we conceive the business might have been more frugally managed, your Majesty may please to allow thereof, for if the business had gone forward the expenses would not have been thus weighed. 2nd. The endeavours of petitioner in this business are wholly out of my knowledge and are only partially known to the Attorney-General, and though it may have been chargeable to him, yet we both conceive not in any nigh proportion to the sum of 3,000*l.*; we therefore leave this to your consideration and bounty. 3rd. The last desire we conceive very reasonable, and that the Attorney-General should draw up a form for signature by such as desire the return of their bonds upon the former conditions for discharging your Majesty from repayment of their fines or rent. A Privy Seal should be drawn out for such sum as your Majesty may be pleased to allow on the first two heads. [1 p.]

Feb. 12. 15. Petition of Sir John Junes, prisoner in the Gatehouse at Westminster, to the King. Francis Harris having intruded himself into petitioner's acquaintance, drew him into conversation concerning Scotland and the news received from thence, being only such vulgar passages as he had heard and were the frequent dis-

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course in all public meetings. Subsequently Harris, pretending himself to be the Prince's solicitor, maliciously informed against petitioner, who, under warrant from Sec. Coke, was detained seven weeks in the custody of a messenger, and then committed to the Gatehouse prison, where he has remained these 13 months without means, his estate having formerly been extended for your Majesty's service. Prays the King to give order for his speedy enlargement. *Underwritten,*

15. I. *This petition to be delivered to Sec. Windebank, who is to attend therewith, and to receive his Majesty's further pleasure therein. Whitehall, 12th Feb. 1639-40. [1 p.]*

Feb. 12.
Whitehall.

16. Order of the Council of War. That Viscount Conway, Colonel Goring, and four others named should consider of the notes herewith sent concerning an indenture for the captains of the horse troops, and make a perfect draft thereof, as may seem best for his Majesty, and present the same to this Council. [*Draft. ½ p.*]

Feb. 12.

17. Petition of Sir John Curzon, late sheriff of co. Derby, to the Council. That he had levied and paid in upon the writ of 1637, being the year of his shrievalty 3,398*l.* ship-money; yet, notwithstanding, he had been sent for up, upon pretence that there was still 106*l.* in arrear, whereof 55*l.* was formerly remitted to the town of Derby by your lordships, and 4*l.* more since paid in by the town of Chesterfield, besides which he has in hand 19*l.* 15*s.* ready for your disposal, so that there is only behind of ship-money unlevied for that county 27*l.* 5*s.*, which petitioner cannot yet obtain, but will use his best endeavour. Prays that in regard he has been twice sent for to attend the Board above 100 miles from his dwelling, and been at much charge in collecting the ship-money, to the amount in all of 150*l.* at least, that he may be allowed such charges as the Lords shall think reasonable. *Endorsed, Received, 12th Feb. 1639-[40]. [1 p.]*

Feb. 12.

18. Report addressed to the Council by William Churchill, sheriff of co. Dorset, of his proceedings for the levying of 5,000*l.* ship-money set upon that county. The whole sum is assessed, and he has appointed collectors and given order to levy the money. [= 2 *pp.*]

Feb. 12.
Berwick.

19. Capt. Charles Lloyd to Sec. Windebank. The drawbridge at the bridge is up. I sent the warrant to Newcastle, whence I expect the coming of 12 carpenters and 20 masons, all of whom I shall employ so soon as the weather permits, for we have been continually troubled with frost and snow, so that I could not work to any purpose. I have desired the mayor to cleanse the streets, and have staked the places upon the rampart where it must be stowed to his Majesty's advantage. [*¾ p.*]

Feb. 12.
Berwick.

20. George Payler to the same. We remain in the same condition as formerly, save that the works of fortification are advanced, and the small breastwork, if the weather permit, will be speedily finished. The drawbridge upon that over the Tweed is almost

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perfected, and the other works are in good progress. Last week I solicited the Lord Treasurer to prepare supplies for the garrison, being advertised that only 2,000*l.* remained in the custody of Sir Alexander Davison, from whom I had the residue of his Majesty's treasure, and I compute that what is in my custody will only continue us five or six weeks according to the present expenditure. I desired permission to come to London to accompt for what money I am charged with. The arrival of the King's ships at Leith has engendered a strange suspicion amongst the common people, and there is much commotion in Edinburgh and opposition to the landing of the men. [1 p.]

Feb. 12.

21. Petition of John Weston, clerk, to Archbishop Laud, of Canterbury. Petitioner, since his last suit for stay of a sequestration to any one of his creditors till all of them came to agreement, has now obtained their consents to accept of their several debts jointly by sequestration of 200*l.* per annum from his living of All Hallows, Lombard Street, of your Grace's peculiars and of his prebend in Wells, as by the Commissioners' order under the seal of the Office for the Commission of Grace appears, which sequestration petitioner is enjoined forthwith to procure, or to be deprived of the benefit of the order. Prays the archbishop, for the rescue of himself and family from poverty, to vouchsafe him a sequestration of his tithes and whole profits of All Hallows directed to the churchwardens for payment of these dues to his creditors in such manner as the Commissioners have set down in their order. *Underwritten,*

21. 1. *Reference to Sir John Lambe, who is to peruse this petition and the order of the Commissioners, and to give the archbishop an account how this sequestration may legally be granted. I shall then do further as is fitting.* W. CANT.
12th Feb. 1639-40. [1 p.]

Feb. 12.

Emanuel
College, Oxford.

22. Dr. Richard Holdsworth to Sir John Lambe. I am sorry to have to interrupt your great employments with frequent letters, yet the case being of some importance and new occasion offered, I thought it needful to acquaint you with the contents of this letter from Mr. Reynolds [Rennold], curate of St. Ives. By this you will perceive of what spirit they are who refuse to come up to the rail [at the communion table], not only obstinate and contemptuous themselves, but seducers of others; in a word the most ill-tempered of any that ever I yet met with. There is not the most conformable man in the Church talks more of canon and rubric, nor any who more despises them. Like crafty merchants, they frame a defence of their own, coming short of cannon by other men's overshooting it. However, I conceive it to be agreeable both to canon and rubric to keep them to those postures which the Church has either expressly set down or implicitly entrusted to the discretion of the ordinary. I am so far from repenting of the order I made that, although I were sure to incur displeasure, nay, to lose this little archdeaconry, I would never be guilty of betraying the Church's power and pious constitutions by complying with such

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factionous spirits, who from the first Reformation have been thorns in our eyes, by opposing dignities, authorities, and every decency of religion by their humours. You will please to pardon me if I seem a little heated. It is the weakness of my disposition both ways to be very yielding to tender consciences in cases scrupulous, especially when I meet with ductible spirits, and, on the contrary, as stout when I see the discipline of the Church to be struck at, as it is in this case, and by these persons. But I have transgressed too much in these enlargements, having already sent to you on Monday last both a copy of my order and an account of my proceedings, of which I have no cause to be sorry, only I leave them to those higher and graver judgments who see better, being well content to have them disannul all that is done, if they conceive it more agreeable to reason, piety, and the peace of the Church. [1 p.] *Annexed,*

22. I. *John Rennold, curate of St. Ives, to Dr. Holdsworth, archdeacon of Huntingdon. Our people are still the same they were, still refractory, and go on in a more violent course than heretofore, for besides those who before refused, two or three more have joined them in this obstinacy. Ever since your coming hither they have exerted themselves to obtain proselytes to their cause, insomuch as they have not neglected to go from house to house throughout the whole town to seduce as many as would hearken to them, and have caused such as they could gain over to set their hands to a certain writing or petition which they had drawn up, and have now sent to London by Robert Story, William Covell, and James Baily, to be delivered to the Archbishop of Canterbury, or, as some report, to the King. Whilst I was engaged administering the Holy Sacrament to others, William Covell came into the body of the chancel, and calling to me used these words: "We are all here present to receive the Sacrament according to the laws of our kingdom and Church of England, and, therefore, if you will give us it, you may. However, we intend not to come any nigher." In reply I used some exhortation suited to the time and place, but all being of none effect, I left them to themselves, not going down [the church] to them according to your order. P.S.—If you have anything you would have me do in this behalf, you may send me word by this bearer. St. Ives, Feb. 11, 1639-40. [1 p.]*

Feb. 12. 23. Copy of the preceding letter of Dr. Holdsworth. [1 p.]

Feb. 12. 24. Sir Thomas Power, sheriff of Cheshire, to Nicholas. Be
Chester. pleased to acquaint the Lords that I have endeavoured to get a good round sum of the ship-money out of my bailiwick, to be paid in by the 20th inst., but such is the poverty of the country and its grievances, that I failed in obtaining the same, owing chiefly to an erroneous course in the taxation of the country, which has con-

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tinued until this year, leaving a surplusage of charge to be defrayed by the townships in regard of personal estates of men then living there, but now dead or removed, against which grievance the country in general protests, and for which I was forced to promise redress by a new division of the whole county, and assessing thereof on houses and lands, and the usual manner of payments, viz., by myzes. So soon as I can obtain leisure, I purpose to do this, for otherwise we must not expect the ship-money to be paid without rigour and much discontent. I could not possibly obtain from the whole county more money than is expressed in the schedule here inclosed, which I did not think worthy to be returned, owing to its small amount; but, nevertheless, in conformity to the commands of the Lords, I have thought requisite to certify for my own discharge. Upon receiving notice from the Board to that effect, I will send it up with what convenient speed I may. I pray the Lords by their next letters to authorise me in the new course of division above mentioned, though I conceive I have authority sufficient by his Majesty's writ. Though this re-assessment be for the good of all, and content of the greater part, yet it will not be pleasing to those townships which are now under-rated. I conceive his Majesty's pleasure, as signified by the Lords' instructions, to be, that moneyed men in each parish or township shall ease and bear part of the burden of the poor in that place, but not be the cause of imposing a greater taxation upon the place than is warranted by the houses and lands belonging to the same. I should present the petition of the country in general for a longer time to pay this money in, and of the hundred where I dwell in particular, to have the half of their payment respited until Midsummer next, it being the poorest part within the county, and wholly dependent on its corn crops, which partially failed this last year. [*Seal with arms, broken.* 1 p.] *Encloses,*

24. I. *Certificate of ship-money received up to this date on the writs of 1639 within the county of Cheshire. Total, 159l. 18s. 9d. [$\frac{1}{2}$ p.]*

Feb. 12.

25. Robert Paddon, Treasurer of the Chamber [to Sec. Windebank]. I have perused the accounts from Michaelmas 1636 to Michaelmas 1639, and find only paid by the Secretary's warrant two warrants for packets, viz., 66l. 13s. 4d. to John Bassford for going with letters to Venice, and 66l. 13s. 4d. to Richard Fanshaw, secretary to Lord Aston, for returning and going into Spain, both which sums are entered in the accompt for 1637. [$\frac{1}{2}$ p.]

Feb. 12.

Office of
Ordnance.

26. Estimate by the officers of the Ordnance of the charge of such provisions for the army, being part of the grand proportion amounting to 21,285l. 18s., as will require the longest time for preparing and present payment. Total, 9,000l. The residue of the provisions included in the grand proportion can be provided within 14 days after money issued. [$\frac{2}{3}$ p.]

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Feb. 13.

27. Estimate by Nicholas of the cost of arms, munition, and other supplies to be provided for the intended army against Scotland, headed, "A brief state of the arms for 35,000 foot and 3,000 horse." [2½ pp.]

[Feb. 13.]

28. Fair copy of the preceding estimate, with some alterations and additions. [2 pp.]

Feb. 13.

29. Petition of Elizabeth Burrows, widow, to Algernon Earl of Northumberland, Lord High Admiral. Petitioner, being a waterman's widow of 80 years, has but one servant, Allen How, who is her apprentice and only support. This young man, her servant, is now pressed for his Majesty's service under the command of Sir John Pennington. Prays order for her said servant's discharge. *Underwritten,*

29. 1. *Note by Thomas Smith for Sir John Pennington. The Lord Admiral, in commiseration of the poor aged widow, is pleased that Allen How be discharged, and doth desire Sir John to give order therein accordingly. Queen Street, 13th Feb. 1639-40. [1 p.]*

Feb. 13.

Lambeth.

30. Final order made in the Court of High Commission against James Oades, of Preston-Candover, Hants. Defendant appeared, and the proofs were publicly read. It appeared that in August 1637 he had, in a profane and scurrilous manner, rhymed on the Lord's Prayer, and been accused of blaspheming the Scriptures, for which the court enjoined him a public submission to be performed in his parish church and in the cathedral church of Winchester, and fined him in 100*l.* to the King's use, with costs, to be taxed the next court day. The commissioners also decreed letters missive to issue out against John Wigge, to call him to answer his being foresworn in his presentment. [4 pp.]

Feb. 13.

31. Form of submission enjoined by the Commissioners for Causes Ecclesiastical to George Draughton, of the diocese of Peterborough, convicted of seizing and detaining the keys of St. Peter's Church, in Irthlingborough, co. Northampton, thereby keeping out Mr. Enfield, clerk, who was licensed to serve the cure there, so that divine service was not performed on Sunday, the 21st October 1638. [1½ p.]

Feb. 13.

32. Receipted bill of Richard Veasey, carpenter, for 4*l.* 0*s.* 6*d.*, received of Edward Nicholas for a piece of oaken timber.

Feb. 14.

Westminster.

Commission of King Charles, directed to Algernon Earl of Northumberland, Lord-General and Lord High Admiral of England, and President of the Council of War, to Lord Treasurer Juxon, James Marquis Hamilton, Thomas Earl of Arundel and Surrey, Montjoy Earl of Newport, Thomas Earl of Strafford, Edward Viscount Conway, Francis Lord Cottington, Sir Henry Vane, Sir Francis Windebank, George Goring, Esq., Sir William Uvedale, Sir

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Jacob Ashley, Sir John Conyers, and Sir Nicholas Byron, appointing them to be his commissioners and Council of War, with authority to take into consideration all questions concerning the securing of his dominions, assisting and helping his confederates and allies, and all other matters concerning war and warlike provisions. [*See Case E., No. 18. 1 skin of parchment.*]

Feb. 14.
Whitehall.

33. Order of the Council of War that Sir Job Harby be required to procure 100 cuirassiers arms to be provided in Flanders, in addition to the 500 previously ordered, the same to be made pistol-proof. [*Draft by Nicholas. ½ p.*]

Feb. 14.

The like that Sir Job Harby be required to provide in Flanders 30 tons of good match; also 500 saddles furnished with bridles, bits, stirrups, stirrup-leathers, girths, pectoral, and crupper, at as cheap rates as he can procure the same. Of this service he is to give an account to this Council. [*Written on the same paper as the preceding draft. ½ p.*]

Feb. 14.
Whitehall.

34. Sec. Vane to Sir Thomas Roe. The proposition sent with your last despatch to Sir John Coke, before I succeeded him in his place, was presently handed by the King to Sec. Windebank, from whom you will understand his Majesty's answer. But what hereafter you shall direct hither, according to the information given you by my last of the 7th inst., I hope to give you a good account of. I send enclosed to you the King's letter to the King of Denmark, by which you will understand that his Majesty acknowledges and seconds the thanks himself, which you have already passed in his name for the royal expressions that King has by his chancellor declared to the French ambassador, Mons. D'Avau, how much he resented the unjust detention of his nephew, the Elector Palatine, in France. The delivery of this letter you will best know how to accompany so that his Majesty's grateful and true affections and valuation of that King's good offices may best appear: As for news I have but little to impart to you. Although it may seem there are many reasons which might threaten some rubs and difficulties in the desired success of his Majesty's gracious resolution and intention of meeting with his subjects in parliament, fixed for the 13th April next, yet there is great hope that by his wisdom all shall be overcome and carried so that so happy a meeting may be followed by a like conclusion, to the contentment and satisfaction both of the King and his subjects. Their Majesties, with their royal children, are in perfect health, and for their recreation intend to dance again their mask this Shrovetide; the joy of her Majesty being enceinte again, advancing rather than hindering that pastime. [*1½ p.*]

Feb. 14.
Lambeth.

35. Archbishop Laud to Sir Thomas Roe. Your letter of the 24th December last came to my hands on the 16th January. In it there was little which I can answer, for the whole letter concerns the parliament and your good wishes for the prosperous success of

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it, and lament that you cannot be present to do service in it. For this last I am as sorry as you, and in my good wishes to it as forward as any, and so, God willing, shall all my endeavours be; but what I doubt or fear I shall bury in silence till I see more. I have taken the best care I can to move his Majesty seasonably for your return this spring, and shall continue it upon all occasions; and the rather, because what other men see I know not; but I, for my part, see no use of your stay there [at Hamburgh] as the times are. I wrote a year since to you, and wished your return, had I been able to procure it. I then told you that there might be an opportunity to do you good, which, if then lost, I knew not how it would be recovered; and lost it is, for Mr. Secretary Coke has given up the seals of his office, and Sir Henry Vane is both Treasurer of the Household and Secretary. I pray God your despatches be the better by it, for you often complained in the old man's time. The Queen was his means, and very earnest. [1 p.]

Feb. 14. 36. Robert Midford, sheriff of Northumberland, to Nicholas. I
Sighall House. received the writ and instructions for the levy of ship-money on the 25th January. Upon communication with the authorities of the towns of Newcastle, Berwick, and Morpeth, it was arranged that those towns should contribute respectively 700*l.*, 20*l.*, and 20*l.* of the 2,100*l.* charge of ship-money, and the residue be assessed upon the county as suggested by the Lords. The authorities of Newcastle, however, refused to be assessed, and still persist in their difference of opinion from us, pretending the tax to be an unjust pressure on them; we, on the contrary, maintaining the same to be just and equal. In order that this should be as little hindrance to the service as possible, I have sent out warrants to all parts of this county for levying the residue of that sum with all possible expedition. Before I could put the writ in operation I received another letter from the Lords of the 12th January, requiring me to pay in to the Treasurer of the Navy all the money collected by the 20th February, and to render an accompt to the Board of my proceedings. I pray you certify the Board of my proceedings accordingly, and that I cannot possibly pay in any part of the money by the prefixed day for the reasons stated. I desire the Board that I may have some longer time limited for collection of the money. [*Seal with arms.* 1½ p.]

Feb. 14. Nicholas to [Dr. Thomas Rives?]. Prays him to move the Lord
Westminster. Warden to suffer Thomas Fulnetby to transfer his place of lieutenant of Deal Castle, for his best advantage, to some able man. Hears that William Ambrose is not only a sufficient man for that charge, but one to whom the captain of the castle cannot justly except. The delay in the admittance of this lieutenant hath given that captain too much boldness to say that my lord doth obtrude a lieutenant upon him, when as the sole right and power of placing such officer is in the Lord Warden, without so much as acquainting the captain with it. [*Copy. See Nicholas's Letter Book, Dom., James I., Vol. ccxix., p. 179. = 1 p.*]

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Feb. 14. 37. Names of commissioners to be appointed to swear the justices of peace. [$\frac{1}{2}$ p.]

Feb. 15. Warrant to the Exchequer to pay to Clement Rennersley, yeoman of his Majesty's removing wardrobe, 213*l.* 6*s.* 8*d.*, without account, disbursed by him for a suit of tapestry hangings for his Majesty's withdrawing chamber at Whitehall. [*Docquet.*]

Feb. 15. Minutes by Nicholas of business transacted this day at the Whitehall. Council of War. Resolved that there be added to the list three surgeons, three physicians, and three apothecaries, who are to receive the same pay as the like officers of regiments have, and the same allowance for their chests. [*Written on the same paper as Feb. 6, No. 43. $\frac{1}{3}$ p.*]

Feb. 15. 38. Order of the Council of War. The Lords having taken into Whitehall. consideration the commission granted by his Majesty to Sir William Uvedale, whereby he was last year appointed Treasurer-at-Wars for the northern expedition, think fit that the like commission be again given to him for the present intended expedition, with these alterations and additions:—That the clause of the hundred penny which by the former commission was granted him out of the soldiers' pay shall be totally left out, but in lieu thereof he shall be allowed 12*l.* 10*s.* out of every thousand pounds received by him for portage-money, which allowance the Lords hold fit to be paid by the King, in regard his Majesty, by the establishment now settled, shall have the benefit of the dead pays. The Treasurer-at-Wars is to be allowed two deputies, each at 6*s.* 8*d.* per diem, and six clerks, each at 2*s.* per diem; these pays to commence from 1st March next. One of the Secretaries of State are hereby required to acquaint his Majesty with these alterations and additions, and to move him that order may be given to the Attorney-General to draw up a commission for the said Sir William Uvedale accordingly. [*Draft. 1 p.*]

Feb. 15. 39. Warrant to Attorney-General Bancks. Whereas James Duke of Lenox has lent to the King for his most weighty affairs 30,000*l.*, and paid the same into the Exchequer, for which you have received warrant from the Lord Treasurer to prepare a bill under the Great Seal for payment of the same, with interest at 8 per cent.; also 10,000*l.* more to be paid out of the receipts of the Court of Wards and Liveries at Michaelmas next, as by two tallies of 5,000*l.* each appears; these are, therefore, to require you to prepare the like bill for repayment of the aforesaid sum of 10,000*l.*, with interest, at Michaelmas next, and to insert the same in the aforesaid bill of 30,000*l.*, according to the warrant given you. [*Draft. 1 p.*]

Feb. 15. 40. John Lord Poulett to Edward Viscount Conway and Killul-
Hinton tagh. I have seen your letter to my father, filled with good expres-
St. George. sions towards myself and my brother, for which I give you most
humble thanks. I have had a great desire to offer myself to the
Earl of Northumberland and your Lordship, and had done so before,
only my parents have been inclined to stay me at home with a wife

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and my sick brother; but now, being invited by the offer of your favours, I hope I shall prevail with my father to wait on your Lordships, and that command will be most acceptable to me wherein I may be under you, from whom I have received so many obligations. [*Seal with crest.* 1 p.]

Feb. 15.

41. Edward Nicholas to his father, John Nicholas. I am glad to hear of your health and my mother's. When I refused to peruse the information brought me by Mr. Wiltshire, I not only told him I saw no cause of suit, my sister having both the lease and possession, but that I would not meddle in it, because neither you nor she ever told me about it, and I appeal to your judgment whether it were fit for me to promote a suit for my sister without her or your privity, the party who brought it being a stranger. Why I should be desired to own my sister Ryves I cannot imagine, unless some have circulated false tales about me. I have been and will ever continue to be as loving a brother to all my sisters as might be justly expected. [*Draft.* 1 p.]

Feb. 15.

42. Certificate of John Agard, sheriff of co. Derby. By the Lords' letter of the 12th, which I received on the 24th January, I was commanded to pay to the Treasurer of the Navy what ship-money should be collected by the 20th February, and certify my proceedings in collecting the residue. The writ which issued forth in November for the ship-money came not to my hands till the 6th Jan^y, when I used all diligence to forward the same, and fixed the days for settling the assessments on the several hundreds. This having been done before the receipt of the Lords' letter, I could not then have time to alter the days appointed for the assessments, nor gather in any of the money, but I will endeavour to the utmost of my power to collect the same. [$\frac{3}{4}$ p.]

Feb. 15.

43. Second deposition of Henry Carr. Was told by Richard Hodshon, of Newcastle, that he heard Edward Mann and Henry Holmes, of Newcastle, were at a conventicle supper with Sir Walter Riddell and his company in Newcastle; also that Sir John Marley meeting with the mayor upon [the penthouse charged him with connivance at those covenanters, to whom the mayor answered that there were divers masses in the town which were never looked after, and he wondered why he should take so much notice of this; and further told this deponent that he heard that the mayor invited Sir Walter publicly upon the penthouse one day to dinner, but the latter declined it then, saying he was to dine that day with Sir Thomas Riddell. [1 p.]

Feb. 15.

44. Account by Sir William Russell and Henry Vane of ship-money received by virtue of writs issued in 1637. Total, 178,429*l.* 15*s.* 8*d.*, leaving 17,984*l.* 12*s.* unpaid. According to a foot-note 8*l.* 19*s.* 10*d.* was paid in, after the making out of this certificate, by the late sheriff of London for the borough of Southwark, and 11*l.* by the sheriff of Kent. More received since the last

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certificate for 1636 of the then mayor of Salisbury 6*l.* 5*s.*, and of the then sheriff of Middlesex 49*l.* 13*s.* 10*d.* [1 *p.*]

Feb. 15.

45. Similar account for 1638. Totals received, 54,698*l.* 19*s.* 2*d.*, leaving 215,051*l.* 0*s.* 10*d.* unpaid. After the making out of this certificate there was received of Sir Maurice Abbott, late Lord Mayor of London, for the borough of Southwark 5*l.*, and of the late sheriff of Kent 25*l.* 7*s.* 8*d.* [1 *p.*]

Feb. 15.

46. Account of ship-money for 1638 levied and remaining in the hands of the sheriffs, 810*l.*, making the total levied and paid 55,539*l.* There were also paid in this week for arrears of 1636, 55*l.*, and for arrears of 1637, 412*l.* The arrears of ship-money were for 1635, 4,536*l.*; 1636, 6,954*l.*; 1637, 17,002*l.*; and for 1638, 15,020*l.* [1 *p.*]

Feb. 16.

47. Certificate of Thomas Atkin, late sheriff of Middlesex, of ship-money assessed on that county by writs of 1637. Collected in the county of Middlesex and paid in to Sir William Russell 3,132*l.* 3*s.* 6*d.*, leaving uncollected 535*l.* 16*s.* 6*d.*, besides arrears in Westminster, 322*l.* 10*s.* 1*d.* The charge upon Southwark in 1637, when Sir Richard Venn was mayor, was 330*l.*, of which 280*l.* 3*s.* 7*d.* has been paid in to Sir William Russell, leaving uncollected 49*l.* 16*s.* 5*d.*, which the collectors affirm to be unrecoverable. [1 *p.*]

Feb. 16.

48. Archbishop Laud, of Canterbury, to Bishop Towers, of Peterborough. I am given to understand that Sir John Lambe has an advowson of the rectory of Northborough, belonging to the Dean and Chapter of Peterborough, and assigned to him by those who had it, for Dr. Pocklington; and though I could like well there had been no such advowsons granted, and hope there shall be none hereafter, yet being formerly granted I see no reason but Dr. Pocklington, being one of your prebends, should enjoy his advowson, seeing others of your prebends have had theirs; neither do I like the assigning it to any other but to the prebends themselves, and therefore I have persuaded Sir John Lambe to present Dr. Pocklington, whom I pray you to admit and institute to it. Yet I rather wish (if the Dean and Chapter will present Dr. Pocklington) that Sir John Lambe would surrender and deliver up the Chapter seal of the said advowson to them, that so Dr. Pocklington might take it originally as from them, and not pass through any other hands. This way will be best, as I think; yet if the Dean and Chapter like it not, I pray you give Dr. Pocklington institution upon Sir John Lambe's presentation, for I hold him an honest man, and one that I know has need of it, and is worthy of your favour herein. [*On the same paper are written rough notes of proceedings of the Ecclesiastical Commissioners on 13th February 1639-40, but as these are entered on the Register, and will be found in their place, I omit them here. Draft in Lambe's hand. 2 pp.*]

Feb. 17.

Petition of John Cary, your Majesty's servant, to the King. That the manor of Caldicott, county Monmouth, is in lease for two lives at 52*l.* 13*s.* 4*d.*, and is of no benefit to your Majesty save the rent,

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but belonging to it are large wastes and commons, out of which some improvement may be raised to your Majesty with charge and pains. Petitioner prays the King to grant him a lease of the manor for 41 years in reversion at the present rent, and also a lease for the like term of such improvements as shall be made at his own charge out of the wastes and commons at the rent of 6*d.* per acre, and that his Majesty would give order to Lord Newburgh, Chancellor of the Duchy of Lancaster, within whose charge these lands are, for granting the same as is hereby desired. *Underwritten,*

- I. *Reference to Lord Newburgh, who is to consider thereof and certify his opinion, whereupon his Majesty will signify his further pleasure. Whitehall, 17th February 1639-40. [Copy. See Book of Petitions, Vol. cccviii., p. 168. ½ p.]*

Feb. 17.

49. Account rendered by Richard Childe, sheriff of co. Beds, to the Council touching his proceedings in the ship-money business. I delivered to Messrs. Chester, Boteler, and Plummer, sheriffs for the years 1636, 1637, and 1638 respectively, copies of the Lords' letters of 12th January last for the gathering of arrears of ship-money during their times. The two first-named demanded of me warrants for collection of the arrears of their years, but refused to give me a note under their hands to hold me harmless should their bailiffs do any unlawful act, or run away with the money, neither did they tender to me a list of the names of those in arrear, nor any warrant to me for levying the arrears in their times. From Mr. Plummer I have not heard. I have conferred with the mayor of Bedford and gave him a copy of the Lords' letters and instructions, and a warrant to certify me his proceedings concerning the 120*l.* charged on that town, that I may give the like account to the Council on 20th February next. The mayor returned answer that the assessors could not agree in the taxing, but desired that it might be openly published to every parish that they might meet together, that men might make their estates known and their grievances, that men may not be oppressed too sore in the taxing, to which request of theirs he gave consent, so it might be done with speed. Upon issuing my warrants to the chief constables of the several hundreds to appear before me on the 13th January, they met, but could not agree as to the division of the money to be taxed upon their several hundreds, whereupon I was constrained to take time and taxed the hundreds myself. I then made second warrants to the chief constables to call the petty constables and townsmen together, and to distribute the tax upon every parish and town, and to report to me on the 8th February, when only two of the chief constables made their appearance, and affirmed that there came very few of the petty constables and townsmen to the meeting, and such as did come, being required to tax their parishes, refused to do it; while the rest of the chief constables neither appeared before me nor made any return. I am now informing myself how I may subdivide the tax laid upon the nine several hundreds, upon the towns, parishes, and villages, in order that it may be done indifferently, to avoid clamour if possible. [*Seal with arms.* 1 p.]

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Feb. 17. 50. Thomas Williamson, sheriff of Notts, to the Council. In
East Markham, pursuance of your commands of the 12th January I have to certify
that the writ for ship-money, although dated 18th November did
not come to hand till the 1st January, since which I have applied
myself with all care and diligence to execute the same. I have
assessed the corporations according to your instructions, saving that
I took into consideration the poor estate of Newark, and in accord-
ance with your former directions to some of my predecessors, I have
eased that town of 40*l.* and imposed it upon the body of the county,
and am now assessing the particular towns and parishes. I have
received only 300*l.*, the corporations having not as yet paid any,
and sent it to the Treasurers of the Navy. I pray advise me whether
the occupiers and farmers of impropriations, consisting merely of
tithes or of tithes and glebe be assessable to this charge, for some
refuse to assess them, and others refuse to pay. [*Seal with crest.*
1 p.]

Feb. 17. 51. Thomas Levet, sheriff of co. Rutland, to the Council. Upon
Holborn, the 20th December I received the writ and your instructions for
London. levying the ship-money to be paid to the Treasurers of the Navy
by 1st April, and on the 20th January the Lords' second letters
requiring me to pay by the 20th February such money as I should
by that time have collected, and then likewise to give the Lords
an account of my proceedings. I have to certify that I have lain
sick here in London since Martinmas last; nevertheless I have by my
agents been framing my assessment, but cannot perfect it till I get
down into the country, whither I am now going, and hope by my
diligence to make amends for my former infirmity, and bring in the
whole money for my small county by 1st April. [*Seal with arms.*
 $\frac{2}{3}$ p.]

Feb. 17. 52. John Brownlowe, sheriff of co. Lincoln, to the Council. The
writ for levying ship-money, although dated in November, came not
to my hands until 30th December, since which time I have used my
best diligence to advance the service, but in divers places I find a
great backwardness in the assessors in making their assessments. I
have not yet received any money, but so soon as I do I will observe
your directions for payment of it. [*Seal with arms, broken.* 1 p.]

Feb. 17. 53. John Nicholas to his son, Edward Nicholas. I am not willing
to have any further discourse about your sister Ryves' business, but
leave the success thereof to God, who I doubt not will defend the
widow and fatherless in their just cause; yet I cannot do less than
remind you that I wrote requesting you that when Mr. Wiltshire
came to you he might have your countenance and best assistance,
which letter you answered to the effect that you had seen Mr. Wilt-
shire, and had spoken with Lord Cottington, who advised that an
information should be preferred. You write that you had not
information from any particular person of the cries made to me
against you, but that you observed my coldness and those you believe
to be more tender of your sisters than of you, at which I cannot but

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marvel, and will not discourse further therein. If your sisters have cause to use your countenance in their honest occasions it will be no hurt nor disgrace to you to afford it, and to acknowledge them as your sisters. For the news you sent me, God send us peace if it be his will. [*Seal with crest and arms.* 1 p.]

Feb. 17.
Easton Maudit.

54. Sir Christopher Yelverton, sheriff of co. Northampton, to Nicholas. In obedience to the Lords' letters of 16th January I have sent them an account and perfect relation of my proceedings in levying the ship-money. Although a stranger to me, I am confident you are not unacquainted with the condition and state of this county, where the inhabitants daily increase in their resolutions to oppose this service. It is no defect in any man not to work beyond his power, but I will do what I can to give the Lords satisfaction. In the meantime I shall be a suitor to you to present these enclosed to the Lords in as fair and advantageous a way as you may. [$\frac{1}{2}$ p.] *Enclosed,*

54. I. *The same to the Council. Giving an account of his proceedings in the assessment of ship-money in co. Northampton. I have presumed to trouble you with a relation not only of what I have done and the manner and reasons of my so doing, but also present to you in what posture the country now is in. Easton Maudit, 18th February 1639-40. [7 pp.]*

Feb. 17.

55. [Report of Bishop Bancroft, of Oxford, to Archbishop Laud]. Your Grace will remember that by the first order of the Board in the case of Churchill, Oxfordshire, all the differences being referred to me, I was to cause a survey to be taken of the decays of that church, and to settle the rates of payment towards the reparations upon every man *secundum qualitatem et quantitatem*, and all suits concerning these rates were stayed. The Lords required the churchwardens and others to obey such order as I should set down. I caused a survey to be taken by a carpenter, mason, and plumber, who estimated the charge at 90*l.*, for raising which I made an order rating pasture at 11*l.*, and arable at 8*l.* the yard land, which order your Grace saw and approved, the pasture being raised 3*l.* more than before it had been. In the meantime, because the church reparation should not be deferred, George Dodford offered to lend 50*l.* or 60*l.* to the churchwardens upon their own bond gratis, till the suits between them should be determined; notwithstanding the churchwardens had before received by taxations 27*l.* for repair of the church, but spent most of it in lawsuits, paying constables' bills, charges at visitations, &c., plainly proving it malice and not want of money that hinders the repair of the church. After my order was sent to the churchwardens, some of the parishioners pretending they had heard what I intended to order, sent me a peremptory petition, expressing therein their [intended] disobedience to my order, were it such as they heard, which petition this bearer will show your Grace; and when my order was read in the church

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Thomas Minchin in scornful manner made answer that it was very worshipfully done of his lordship to send us this order. In order to excuse their backwardness in payment, some of the inhabitants now say the rate is a great deal too much, and that the church may be repaired for 30*l.*, but I am sufficiently assured by judicious and expert men, and partly by my own experience, that it cannot be repaired as it ought to be for the sum estimated. [*Endorsed by Archbishop Laud as received 17th February 1639-40. 1¼ p.*] *Annexed,*

55. I. *Petition, above referred to, of the inhabitants of Churchill, to Bishop Bancroft, of Oxford. [Underwritten, Attestation by William Whitly that this writing was delivered to him by the inhabitants of Churchill to be presented to the Bishop of Oxford, which he did accordingly the 29th June 1639. 1 p.]*

55. II. *Mem. by Bishop Bancroft. Upon receipt of this petition I sent back by Whitly, requiring their general obedience to the order I had sent, which Whitly for his part promised to do; yet notwithstanding, at his return home, he being constable, with others, hired John Bridgman, a poor man of that town, to bring back the said order, so far were they from obeying it. [½ p.]*

Feb. 17.
Burdop.

56. Sir William Calley to Richard Harvey. I am in receipt of yours of the 13th inst., by which I perceive what things you have bought and sent me. They shall be called for when the waggon comes. I am sorry that my bonds are not yet freed out of the Exchequer. Now I have little hope of getting my money from Sir William Parkhurst and Mr. Tieborne during the Parliament, for they will be protected by it. [*Seal with crest and arms. ½ p.*]

Feb. 17.

57. Mem. of Capt. Legg concerning the magazine at Hull, and the allowances to be paid to the master of the armoury and his assistants. [*½ p.*]

Feb. 18.

Petition of the Dean and Chapter of the cathedral church of St. Peter at York to the King. Petitioners by the abundant grace of your Majesty's predecessors have sundry lands, liberties, and privileges granted to that church, which have been long enjoyed, and many of them confirmed by Acts of Parliament, until by a late charter made in the seventh year of your reign to the mayor and commonalty of the city of York, some questions arose between the church and city, which are since accorded, and the mayor and commonalty, according to your order of the 6th of June 1636, are to surrender up those letters patent, which they are willing to do. Pray confirmation of their former grants by charters or Acts of Parliament and for their future quiet that your Majesty would new grant to them by special words the particulars annexed, which, for the most part, they have formerly enjoyed; also that the Attorney-Genera.

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may have order to prepare a bill accordingly for your signature.
Underwritten,

- I. *Warrant to the Attorney-General to prepare a bill for his Majesty's signature, granting petitioners their desire.*
 [Copy. See Book of Petitions, Vol. cccviii., p. 157. = $\frac{3}{4}$ p.]

Feb. [18?].
 Edinburgh
 Castle.

58. Patrick Lord Ettrick to the King. These are to give your Majesty to understand that the provost and town of Edinburgh, with all expressions of loyalty and obedience, and as much honour as may be done you on such an occasion, delivered me the hundred soldiers, with ammunition and victuals, by the which I am made most sensible of your gracious care of this place, and the welfare of your servants here, whom I am confident will be most ready to lay down their lives for your service. This castle, in my judgment, is now furnished with ammunition and victuals for half or three quarters of a year, and for my part I shall with an honest and upright heart most faithfully defend it as long as God shall give me life. Your Majesty's people here have all in general shown a great outward testimony of their desires to obey you as they ought; I heartily wish that they may continue it, so that you may set a quiet end to their rebellious courses with your sacred honour and royal prerogative untouched, or else that you delay no time nor omit anything that may soon compel them to their wonted obedience and subjection. I humbly beseech you to pardon my boldness in writing thus plainly, for it proceeds from an honest and faithful heart, which had never yet the will nor knew how to dissemble with my sovereign. I have thought this bearer [William Roberts] the only person fit to send to you with an exact account of my proceedings here, being the only man I have employed in this last service and in all business of consequence, having given him an oath to be secret to me in all things which concern you, wherein I have found his abilities, trust, and diligence in all things answerable to my desires, therefore I beseech you to lend him a gracious ear, for he can and will most faithfully inform you of the state of this place in every particular, and of all my proceedings here, by whom also I have presented my desires to you beseeching you to let me fully understand your royal will and pleasure by him, whom I pray you send back to me with all convenient speed, being not well able to manage your business here without him. I most humbly submit my desires to your gracious consideration, assuring you I shall omit nothing that may advantage your service here. [Seal with arms and crest, broken. Endorsed by Sec. Windebank, "Delivered to me at the Committee, 24th February 1639-40." 2 pp.]

Feb. 18.
 Edinburgh
 Castle.

59. The same to the same. These are to certify your sacred Majesty that the bearer, William Roberts, has served, ever since my coming here, as secretary to me for all your businesses here, and as paymaster to the soldiers, having taken an oath for the true and faithful performance of these charges, in which employments he has proved himself very trusty and diligent, but as yet has received

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no remuneration, submitting himself herein to your gracious consideration. I beseech your Majesty to allow him some pay for the service already done, and to confirm him in the said places with allowance for the future. [*Margin, "10s. per diem as paymaster to the garrison, to begin from Christmas last and to continue during the retention of the garrison in Edinburgh Castle." 1 p. $\frac{3}{4}$ of the fly leaf cut off.*]

Feb. 18.
Edinburgh.
Castle.

60. Patrick Lord Ettrick to the King. These are to certify your sacred Majesty that James Goodall, master-gunner of the Castle, who has also charge over the artificers and ammunition, has executed his charge with very ample care and diligence. I know him to be very well experienced in the art of gunnery, and therefore beseech you to confirm to him for life the pay he now receives, which will encourage him to do you faithful service hereafter, as he has already, both by sea and land, these 9 or 10 years past. [*Endorsed by Sec. Windebank, "Delivered to me at the Committee, 24th February 1639-40." 1 p.*]

Feb. 18.
Edinburgh.

61. The provost and bailies of Edinburgh to the King. [*This is the original letter signed by William Dick, provost, and George Suttie, Stephen Boyde, James Bucherd, and John Binny, bailies, of which a misdated copy has been already calendared under date 18th February 1638-9, the transcriber having substituted in the copy the English for the Scotch year. See Vol. ccccxiii., No. 19.*]

Feb. 18.
Gilston.

62. Sir John Gore, sheriff of Herts, to the Council. I have endeavoured to collect the 4,000*l.* ship-money imposed upon this county. The two months, since I received the writ, have been taken up in distributing the sum upon the hundreds and parishes, and in composing differences between the several parishes, so that as yet I have not received any money. I shall be most careful to execute and expedite this service, and so soon as I receive a valuable sum I will return it according to the Lords' directions. [*Seal with crest and arms. $\frac{1}{2}$ p.*]

Feb. 18.

63. Deposition of Robert Bewick, Mayor of Newcastle-upon-Tyne, taken before Attorney-General Bankes. About two months since Sir Walter Riddall and Alexander Murray, Scotchmen, came to Newcastle, and examinant saw them walking in the Penthouse with Sir William Riddall, but did not know them, nor had any conference with either of them. He was not made aware that they had surveyed the town until ten days after their departure, when Sir John Marley told him that they had gone about the walls of the town, and that they were Covenanters. Divers Scotchmen in the summer time repair weekly to Newcastle on business, but deponent knows not any of them to be Covenanters. He says that Riddall and Murray did not either dine or sup with him, neither were they invited by him, who was not even aware of their coming, nor how long they stayed. If examinant had known or been informed that they were suspicious persons or Covenanters, he would have been

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careful that they should have been examined and put into safe custody. [1 p.]

Feb. 18.

64. Deposition of Ralph Gray taken before Attorney-General Bankes. To the same effect as the preceding. [$\frac{1}{2}$ p.]

Feb. 18.

65. Mem.—Entreat Mr. Nicholas to send in the instructions to the Attorney-General, for the information to be drawn up against Sir Anthony Irby, of Lincolnshire, in the Star Chamber. [*Endorsed by Nicholas*, "Note from the Attorney-General about Sir Anthony Irby. Received 18 Feb. 1639-40." $\frac{1}{4}$ p.]

Feb. 19.

Court at
Whitehall.

66. Sec. Windebank to Patrick Lord Ettrick. His Majesty commands me to inform you that he has received yours of the 9th inst., and though since then there have been some advices from Berwick and rumours from other parts that the service, of which you give account in your letters, has been opposed and hindered by the disorderly people of Edinburgh, yet his Majesty is confident you would not have given him such hopes of success, but that you saw a great appearance of it. Nevertheless, the letters which the provost and bailies of Edinburgh have written to his Majesty [*see* Feb. 18th, No. 61,] are not so full and positive as he expected, but so that the service be done, and the supplies timely put into the castle, both of men and munition, it will be of great consequence to his affairs in that kingdom. In case there should be any impediment put to the service, his Majesty has commanded me to signify his pleasure to Capt. Shipman to stay at Berwick with the men and munition until he shall receive further order; but if the service shall be performed, then Capt. Shipman shall stay with you in the castle and command those 100 Englishmen whom he has brought to you, according to such directions as he shall receive from you. I enclose a duplicate of my letters to Capt. Shipman to that purpose, and for answer to any other particulars in your letters you shall understand his Majesty's further pleasure the next opportunity. This the King has commanded me to write to you in haste, that the bearer, your servant, may not return empty handed. [*Copy.* $1\frac{1}{4}$ p.]

Feb. 19.

Orton.

67. W. Armyne, sheriff of Hants, to the Council. In obedience to your commands of the 12th ult., I have used all diligence in assessing and collecting the ship-money for this county, but as yet have not received one penny of it; so soon, however, as any shall come to my hands, I will not fail to pay it in to the Treasurer of the Navy. [*Seal with arms, broken.* 1 p.]

Feb. 19.

Conway.

68. William Hooker, sheriff of co. Carmarthen, to the same. Reports his proceedings in assessing the ship-money. I gave special charge to the constables that no persons should be assessed to the same unless they were known to have estates in money, goods, or other means to live by, over and above what they got by their daily labour. I have received 200*l.*, which, according to your instructions of the 12th ult., I have sent to the Treasurers of the Navy. [*Seal with head.* $1\frac{1}{3}$ p.]

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Feb. 19. 69. Petition of George Durant, M.A., clerk, to Archbishop Laud. You were pleased upon petitioner's former petition to refer the consideration of the King's title for presenting to the rectory of Weston-sub-Edge, in co. Gloucester, to Sir John Lambe, Dean of the Arches, upon the *duplex querela* depending before him. Particulars relative to this suit omitted in the last petition. Petitioner has tendered his presentation in person, and prays your Grace's favour in respect of the premises. *Underwritten*,

69. 1. *Reference to Sir John Lambe, to examine the truth of these suggestions, and, if true, to give petitioner admittance, or report to the archbishop.* 19th Feb. 1639-40. [1 p.]

Feb. 20. Grant to Edmond Fisher of a pension of 100*l.* per annum for life, to be paid by the farmers of the customs half-yearly upon surrender by Lady Peryent of the like pension. [*Docquet.*]

Feb. 20. Warrant to the Exchequer to pay to Anthony Eyre 80*l.* upon account, for repairing his Majesty's chapel [at] Heinolt Lodge in Waltham Forest, Essex. [*Docquet.*]

Feb. 20. Minutes by Nicholas of business transacted this day at the Council
Whitehall. of War. Sec. Windebank to move the King for a commission appointing Sir Nicholas Byron Governor of Carlisle. The Earl of Strafford declared that the garrison of Carlisle was to be paid out of the revenue of Ireland till 30th April. The four regiments of cavalry to be raised in time to march to the borders by the 1st of April, and every captain to give notice where he wishes to have his first rendezvous. So soon as the captains shall have raised 60 cuirassiers or 40 harquebusiers, and had them mustered at the rendezvous, they shall enter into pay, and be sent to the north to the general rendezvous. The Lords wish that these, as far as may be, should be raised in or near London. [*Written on the same paper as Feb. 6, No. 43.* $\frac{2}{3}$ p.]

Feb. 20. 70. The like. Ordered that the Lord Treasurer and Lord
Whitehall. Cottington, calling to them Sir William Uvedale, Treasurer-at-Wars, should consider of the agreement made with Mr. Haughton, the King's brewer [*see Feb. 11, No. 5*], for making a certain proportion of beer weekly at Berwick for the army, and accordingly forthwith to article with him, to the end that this service may be set in hand. [$1\frac{1}{2}$ p.]

Feb. 20. 71. Warrant of the Council of War. Ordered that the Master of
Whitehall. the Ordnance be required to send all the arms for horse in store at Hull to York, to be there stored away under the direction of the Vice-President. Form of a warrant to the Vice-President to make choice of some convenient places and storehouses at York to be prepared for the reception of the arms from Hull. [1 p.]

Feb. [20.] 72. The like. There being at present in the magazine at
Whitehall. Hull a good proportion of arms and ammunition which will decay, we have held it necessary to appoint the officers and ministers

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herein-mentioned to take charge of the same, with the fees and wages here stated. These officers are to be appointed and sent to Hull by the Master of the Ordnance, and to be paid by the Treasurer at Wars upon certificate from the Master of the Armoury, their wages commencing from 1st March next. [$\frac{3}{4}$ p.]

Feb. 20.
Westminster.

73. The King's writ to Archbishop Laud, of Canterbury, to summon Convocation to meet in St. Paul's Cathedral, London, on the 14th April next. [*Latin. Copy.* 1 p.]

Feb. 20.

74. The Commissioners from the General Assembly at Edinburgh to the King. We have been waiting for a day of rejoicing and solemn thanksgiving to be observed by the kirk and kingdom of Scotland, for giving us a King so just and religious that it is not only lawful for us to be Christians under your Majesty's government, which sometime has been the greatest praise of great princes, but also that it has pleased your Majesty to make known that it is your royal will and pleasure that all matters ecclesiastical be determined in free national Assemblies, and matters civil in Parliaments, which is a most noble and ample expression of your justice, and we trust shall be a powerful means of our common happiness under your most blessed reign. In the meanwhile we humbly, upon the knees of our hearts, bless your Majesty for that happiness already begun in the late Assembly at Edinburgh; in the proceedings whereof next unto God we have laboured to approve ourselves to your Majesty's vicegerent, as if your Majesty's eyes had been upon us, which was the desire of our souls, and would have been the matter of our full rejoicing, and do still continue your humble supplicants for your civil sanction and ratification of the constitutions of the Assembly in Parliament, that your princely power and ecclesiastical authority joining in one, the mutual embracements of religion and justice, of truth and peace, may be seen in this land, which shall be to us as a resurrection from the dead, and shall make us, being not only so far recovered but also revived, to fill heaven and earth with our praises, and to pray that King Charles may be more and more blessed, and his throne established before the Lord for ever.
Underwritten,

74. I. *This is the thanksgiving and humble supplication delivered by the Commissioners of the General Assembly to me, to be presented to your Majesty. Loudoun.*

74. II. *Delivered to his Majesty 20th Feb. 1640.* [1 p.]

Feb. 20.

75. Certificate of Thomas Pychard, sheriff of co. Cambridge, to the Council. Assessment of the 3,500*l.* ship-money charged on that county. I received your second letters of the 12th ult., urging the more speedy expediting of that service, but by the neglect of some of the chief constables and refractoriness of others, I cannot do as commanded. Table showing the rates assessed by him upon the corporate towns, and upon the several hundreds of that county. [2 pp.]

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Feb. 20.

76. Table showing the rates assessed upon the several hundreds and towns within the county of Cambridge and Isle of Ely, and upon the corporation of Cambridge, for raising 3,500*l.* ship-money. The hundreds and some of the towns were rated by the sheriff, and remainder of the towns by the constables. [1 *p.*]

Feb. 20.

Denbigh.

77. Richard Langford, sheriff of co. Denbigh, to the Council. Assessment of 1,122*l.* ship-money upon that county. I have received as yet about 100*l.*, which with all possible speed I will send up to London, and the rest so soon as I can get payment of it. [*Seal with arms, broken.* 1 *p.*]

Feb. 20.

78. Petition of Rowland Morgan and John Gislingham to the Council of War. Petitioners, being gold wire-drawers, intrusted to Nathaniel Steevens, a button-maker, gold and silver plate and thread worth 60*l.*, but he refusing to give them satisfaction for the same they caused him to be arrested, who thereupon put in bail to answer their several actions. Since then Steevens, pretending he had a protection from Sir William Brouncer or Brunckard, as being one of his troopers, has caused petitioners to be sent for by a messenger, in whose custody they now remain, to their great prejudice. Petitioners, although very poor men, pay to his Majesty for custom of gold and silver wire 100*l.* per annum, so if they should lose their debts the same would tend to their utter undoing; nevertheless they are heartily sorry that they have in anyway incurred your displeasure. Pray the Lords to order that Steevens may not be discharged till he has given petitioners satisfaction for their debts, or put in security, and that they may be discharged out of the custody of the messenger. [1 *p.*] *Annexed,*

78. 1. *Deposition of Rowland Morgan that he did not know at the time of Nathaniel Steevens' arrest that he was entertained under Sir William Brunckard for his Majesty's service; that when deponent demanded his money of Steevens the latter absented himself from his habitation, and went and lived in Ram Alley of purpose to defeat deponent of his debt.* [$\frac{1}{2}$ *p.*]

Feb. 20.

79. Petition of Francis Vincent, deputy saltpetre-maker, to the Commissioners for saltpetre and gunpowder. Petitioner being authorised by letters patent to use his best endeavours to find out and provide saltpetre, employed James Crofts and Richard Vane to dig in the dove-house of Richard Steed, at Beaksbourne, Kent, where James Wilford was charged to attend with his cart, but he being discontented therewith, and malignantly disposed to his Majesty's service, fell upon petitioner's servants without provocation, beating them with his cudgel, and then locked them in the stocks, carrying away the key in his pocket, saying that the King employed more rogues in his works than any man, by which means his Majesty's service has been ever since neglected. Prays that Wilford may be sent for to answer his contempt before the Lords, and make satis-

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faction for the wrong sustained by petitioner and his servants.
Underwritten,

79. I. *This petition to be shown to Wilford, who is required to attend in the Council Chamber with his answer on the 29th inst. Whitehall, 20th Feb. 1639-40. [1 p.] Annexed,*

79. II. *Deposition of Richard Steed, of Beaksbourne, confirming the statements in the above petition. [$\frac{1}{2}$ p.]*

79. III. *The like of James Crofts, of Canterbury, saltpetre-maker. To the same effect. [$\frac{1}{2}$ p.]*

Feb. 20. Abstract of the above petition. [See Vol. ccxcii., p. 114.]

Feb. 20. Drury Lane. 80. Robert Read to [Thomas Windebank]. I was left at court this evening to get some things signed by the King, who was so long at cards that I came almost too late home to present my service to you. I have little more time than to thank you for yours of the 23rd [13th ?] of this present, which came yesterday to hand. The Countess of Southampton is lately dead in childbed; she was well delivered, but afterwards fell into fits of convulsion, which quickly despatched her. Sir William Uvedale has got the reversion of his office of Treasurer of the Chamber, of which I spoke last summer on Hampstead Heath, for his son-in-law, Sir Edward Griffin, and in regard thereof has either married or is to marry her that should have been his daughter-in-law, but it is thought they are married. The Parliament continues upon the day first set; there is such bandying for places, that, for aught I see, we who were made sure at first of burgess-ships are as likely to miss them as others, men being not able to perform what they promise, but it shall scape us hard if we fail of them. All my cousins present their true affections to yourself and Christopher. [1 p.]

Feb. 20. Queen Street. 81. Thomas Smith to Sir John Pennington. In yours of the 17th you say that Burley is not worth my anger; 'tis so indeed, but what I have said was merely to vindicate my credit, which he has gone about to blemish as much as in him lies. I have examined Tailor, the gunner, before C. Carteret and others, and find that Burley did sift the fellow as much as he could, and jeered him extremely in the company of others, which provoked him to some discontent, but he protested that I never spoke one syllable of 80*l.*, nor interchanged one word about the gratuity, and he is so well contented, that when I offered him his ship and money again to relinquish the scence he would not accept of it, and told C. Carteret that he would willingly have given more rather than have gone without it; but I have done with this brabbling business, and am sorry that Burley has so little wit or honesty as to abuse his best friends. Concerning the Scots' deputies, they are all come, and Friday is appointed for their audience, so that till then I can assure you nothing, howbeit I fear it will be war. We prepare hard, but you will be here long before my Lord [of Northumberland] goes; even now he is come from the court,

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by whom I understand that this morning they [the Scots] were heard before the King and Cabinet Council by way of petition; the effect whereof was that it was the most humble desire of the Covenanters his Majesty would be pleased to ratify the acts of the pacification made when he was near the borders of Scotland, to which he answered that he had done it already, which they not holding it fit to contradict, they had nothing to say, and so his Majesty dismissed them. Now whether they will return or no till they can hear again from thence, every man doubts. Nevertheless, between you and me, it is verily believed war will ensue betwixt us, for which I am heartily sorry, both for my lord in particular and the kingdom in general. The Duchess [Countess] of Southampton died on Sunday last in childbed, and has left her husband sorrowful. The writs for the Parliament were sealed this day, and are, as some say, to be sent away to-morrow, others not till Wednesday next, but I believe the first. [*Impression of seal with crest and arms. 2 pp.*]

Feb. 20. 82. Minutes for the drawing out of the commission and instructions to Sir Nicholas Byron, on his appointment to the post of Governor of Carlisle. [1 p.]

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Feb. 21.

Petition of the Mayor and Commonalty of the city of York to the King. Upon the petition of the Dean and Chapter your Majesty, 6th June 1636, was pleased to undertake the hearing of some questions and differences which had arisen between the Church and this city, and the better to settle these differences did then order that the mayor and citizens should surrender a charter granted to them by your Majesty in the seventh year of your reign, upon which another charter should be granted to them, which surrender in humble obedience to your order they have sealed and acknowledged to be enrolled. Pray your Majesty to confirm to them their ancient charters with all lands, liberties, and privileges granted or mentioned to be granted by your royal progenitors. Also that the time of their annual election and swearing of the Lord Mayor, sheriffs, and other officers, which, by former grants, was to be put off to the next day in case any of those days happen on a Sunday, may be put off to the next day; and that if there be not three aldermen who have not been twice Lord Mayor, or Lord Mayor within six years then last past according to their former charter, that then the Common Council may name only two aldermen, such as have not been twice Lord Mayor, or Lord Mayor within six years, whereof the one of them may be chosen mayor; and that they may have such justices of peace for government of their city, and no other, as heretofore they have had; and that the Attorney-General may prepare a bill for your

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signature, with such further clauses to be inserted as may tend to the good government of that city. *Underwritten,*

- I. *His Majesty is pleased to confirm to petitioners their ancient charters, lands, and privileges, and to grant such new powers for their better government as the Attorney-General shall find fit, without prejudice to the Church or his Majesty's service; and the Attorney-General is to prepare a bill for signature accordingly, for which this shall be his warrant. Whitehall, 21st Feb. 1639-40. [Copy. See Book of Petitions, Vol. ccciii., p. 167. =1 p.]*

Feb. 21.

1. [Sec. Windebank] to Elizabeth, Electress Palatine, and Dowager Queen of Bohemia. His Majesty having cause to employ some of his own subjects, now in the service of the States of the United Provinces, for the defence and safety of this kingdom, though he doubt not but the States, to whom his Majesty has, by his own letters, made intimation to this purpose, will readily, in this exigency, give license to such of the English nation as he shall desire to repair hither and be absent from their charge there, to serve their own sovereign, yet his Majesty, knowing how powerful your Majesty's intervention is with the Prince of Orange, and with those among the States who have the ordering of their affairs, has commanded me in his name to desire you to interpose earnestly with them to grant leave to Sir John Conyers, who has the command of a troop of horse, to be absent from the service there for six months, with permission to transport himself hither and serve his Majesty, without prejudice to him in his entertainments during that time. This being a business of extraordinary consideration to his Majesty's service at this present, he desires you to take it to heart, not doubting but by your favour and instances it may be effected, which will be very acceptable to him; and himself will, with his own hand, render you thanks for it. [*Endorsed by Sec. Windebank, "To the Queen of Bohemia in his Majesty's name and by his special commandment, concerning Sir John Conyers. 21st February 1639-40." Draft. 1 p.]*

Feb. 21.
Whitehall.

2. The same to Sir John Conyers. Upon receipt of yours of the 3rd of this present month I moved his Majesty for letters to the Prince of Orange in your favour, which he was pleased to grant, and at that time thought it unnecessary to write to the Queen of Bohemia or to the States. But since Lord Conway assured me that unless his Majesty would make instances extraordinary there would be difficulty in granting your licence, I have caused other letters to be despatched to the Prince of Orange and to the States in a more pressing style, and have also written to the Queen of Bohemia in his Majesty's name to interpose for leave to you to repair hither, without prejudice in your entertainments. These three letters are now delivered to Sir Nicholas Byron to be put into your hand and disposed of as you shall think fit, and therefore you may suppress the other letter from his Majesty to the Prince of

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Orange, which you will find in my other packet. I crave pardon for this second trouble, and send you my best wishes that his Majesty's interposition may succeed according to your desire. [*Draft.* 1 p.]

Feb. 21.
Whitehall.

3. Sec. Vane to Sir Thomas Roe. Your last, directed to Sir John Coke, came to my hands, and as his Majesty shall give his answer, either to this or any future letters of yours, I will be ready and careful to impart the same to you. I doubt not you have been already informed how gracious his Majesty showed himself by the pacification he made with the Scots at their request when his army was upon their frontiers, where it appeared to all the world that his Majesty, for avoiding the effusion of his subjects' blood, condescended to a peace, which if, according to their duties, they would have made a right use of, his Majesty would not now be necessitated to return to arms for the safety both of his person and his kingdoms, not knowing what their intentions may be, they persevering still in their disobedience, and casting off all duty which subjects owe to their sovereign. All which notwithstanding, his Majesty still continues his gracious inclination. As soon as they shall return to their due obedience they shall find him a just and merciful King; but if, by their default, worse effects shall follow, his Majesty's just proceedings shall manifest themselves to God and the world. Meanwhile the 13th April is appointed for the assembling of Parliament, the writs for which were sealed yesterday and are going out, his Majesty not doubting of the particular contentment he shall reap therein, notwithstanding what rumours soever are or may be spread abroad by ill-affected persons to the contrary. [1 p.]

Feb. 21.

4. Bond of Robert Bewick, Esq., in 1,000*l.* for his appearance before the Council or Sec. Windebank when called for to answer to such matters as shall be objected against him. [1 p.]

Feb. 22.

License to Thomas Yorke to build upon part of Clement's Inn Field, in the parish of St. Clement Danes, co. Middlesex, being the inheritance of the Earl of Clare, the buildings to be erected in accordance with his Majesty's proclamations; power is also given to alter the highways, and to make sewers. [*Docquet.*]

Feb. 22.

Release to Richard Clerke, B.D., of 21*l.* 0*s.* 6*d.*, being the first-fruits of the vicarage of Puddletown, Dorset, he having resigned the vicarage to James Lucin, clerk, in obedience to an order of the Archbishop of Canterbury and others. [*Docquet.*]

Feb. 22.

Warrant to the Treasurer of the Chamber to pay 20*d.* per diem as wages, and 16*l.* 2*s.* 6*d.* per annum as livery, to Ambrose Beeland, one of his Majesty's musicians for the violins, *vice* James Johnson, deceased, during life. [*Docquet.*]

Feb. 22.

5. Notes by Nicholas of business transacted at a meeting of the Privy Council this day, his Majesty being present. Amongst others are the following entries: 5,000*l.* to redeem such things as are im-

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pawned, in all 35,000*l*. Earl of Suffolk to entail all but the land in Dorsetshire. He will not be a pensioner to his son. 1,000*l*. of the 3,000*l*. Dorsetshire land to be, after the Earl of Suffolk's decease, assigned to the younger sons. [$\frac{1}{2}$ p.]

Feb. 22.
Whitehall.

6. Similar notes of business at the Council of War. Resolved that there shall be added to the list of entertainments for the army one preacher to every regiment of horse at 4*s*. per diem.

Feb. 22.

The King's pleasure signified by Sec. Windebank. His Majesty having received information that his title to the houses, wharfs, docks, and yards encroached upon the river Thames on the north bank at or near Wapping, Shadwell, Ratcliff, and Limehouse, has long depended in the Court of Exchequer, which first concerned the late Earl of Carlisle, but now concerns his Majesty immediately, the patent granted to the said earl being surrendered back to his Majesty, and that several orders and decrees have been had thereupon, one decreeing that all the soil between high and low water marks belongs to his Majesty in right of his crown, and that all houses, wharfs, and docks built thereupon ought to be abated or arrented at the King's pleasure, and another decree for nine several houses, whereof his Majesty and his assignees have possession, whereupon the inhabitants of those nine houses have turned tenants to the King, and paid several fines and rents, and that by their example many other inhabitants of these places, being in the same estate, have likewise become his tenants, who are now turned out by suits at common law, notwithstanding that there are informations depending in the Exchequer Court, and thereupon they have petitioned for relief. His Majesty holding it a matter of great consequence to him, both in this particular case and in the precedent thereof, is therefore resolved that special care shall be taken for recovery of his right and settling thereof, as far as in justice may be, and has commanded me to signify the same; that the Lord Keeper, Lord Treasurer, Earl of Dorset, Lord Privy Seal, Lord Lieutenant of Ireland, Lord Cottington, and the two Principal Secretaries of State shall have the care and protection of this business, and calling to them the Attorney and Solicitor General, and other his Majesty's counsel-at-law, shall examine the petitions and informations hereunto annexed, and inform themselves fully of all things they conceive necessary for his service in this case, and of all the former proceedings therein, and also at such times as they shall think fit shall call to them the Barons of the Exchequer and confer with them, to the end that their lordships, understanding the true state thereof, may wait upon his Majesty and deliver to him their opinions of what has already passed, and what they think fit to be done for the future; whereupon his Majesty will give such further directions as he shall find fit, and in the meantime they are to give such directions for the proceedings or not proceedings therein as they shall think fit. (Signed.) Francis Windebank. Whitehall, 22nd Feb. 1639[-40.] [*Copy. See Book of Petitions, Vol. cccciiii., p. 154. = 1 $\frac{1}{4}$ p.*]

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Feb. 22.

Petition of James Earl of Carlisle, Sir James Hay, and Archibald Hay, trustees for the estate of the late Earl of Carlisle, and of the trustees for the estate of Sir Peregrine Bertie and Sir Philip Landen, knts., deceased, viz., Sir George Theobalds, John Van Haesdonck, and divers others who are interested and have contracted for divers parcels of marsh land, to the King. That the marshes and marish grounds lying between the ebb and flow of the tide in England and Wales have been reputed parcel of the prerogative, as well in this realm as in Scotland and Ireland, and in some cases have been adjudged so in law. Petitioners and others your loyal subjects, relying on this your undoubted right and title, have been encouraged to contract and bargain with your Majesty for these lands, paying great sums of money to your Majesty for the same, besides expending great sums in embanking and reclaiming these marshes and recovering possession of them at law. Notwithstanding your grant of these marshes by letters patent, and your command under the Privy Signet declared to all justices and others for petitioners' quiet enjoyment of the same, [they can obtain no security] by reason of the common outcry, that your Majesty's title is not likely to prevail, and that it has become very doubtful in their opinions whether the matter in question of these marshes will be determined for or against your Majesty. Petitioners hope that these doubts may be removed if the beginning, progress, and increase of the said marshes from the nature, quality, and effects of the flowing and reflowing of the sea at spring tides, and the certain proofs and proper marks whereby these marshes may be distinctly known to differ from all upland grounds thereunto adjacent, were clearly set forth and declared as being the ground-work of your right and title to these marshes. For the just preservation of your rights, and to save petitioners from fruitlessly expending their money in a question of so great moment and sequence of profit to your Majesty, and yet so uncertain and doubtful to petitioners, they pray that you would command some special person of the Privy Council to undertake the care of this matter, and to consider what petitioners have digested concerning the nature, quality, and effects of the tides, and of the true origin and increment of salt marshes, and of the marks whereby they may be distinguished from all upland and natural ground, for to inform first your Majesty and the Council of the truth of the matter, and then that you will vouchsafe to require all the judges of your Bench, Common Pleas, and Exchequer to meet the Council and such other persons as you shall appoint, at which meeting this question may be thoroughly and fully debated and considered, and such resolutions come to as in their grave judgment may best sort; wherein it is hoped that no lapse of time or habit of usurpations shall be admitted in evidence to extinguish or prejudice what was originally your Majesty's right and chief flower of your prerogative by infallible proofs of demonstration; and that your Majesty will be pleased soon after to receive an account of the consultation and resolution of the judges; and the same to be decreed to the full satisfaction of your Majesty and your subjects interested

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therein, and that accordingly the cases of your petitioners may be received into the bosom of your clemency and most gracious consideration. *Underwritten,*

- I. *His Majesty's pleasure is that the Lord Privy Seal, Earl of Dorset, Lord Lieutenant of Ireland, Lord Cottington, and Sec. Windebank shall take the care on his Majesty's behalf of the marshes, and consider what petitioners have digested concerning the same, and certify his Majesty from time to time their proceedings therein, and cause all such things to be put in execution as his Majesty shall please to order upon such certificates. Whitehall, 22nd Feb. 1639-40. [Copy. See Book of Petitions, Vol. cccviii., p. 151. =2 pp.]*

Feb. 22.

Petition of James Earl of Carlisle, Sir James Hay, and Archibald Hay, your Majesty's servants, to the King. The late Earl of Carlisle being seised in fee by your royal grants, amongst other things, of and in the Caribees or Carlisle islands, and of the powers and government thereof, which he assigned to petitioners, Sir James and Archibald Hay and Richard Hurst, since deceased, and their heirs, upon trust only for payment of his debts, the surplusage to remain and be to the present Earl of Carlisle, the petitioners Sir James and Archibald Hay have faithfully endeavoured to perform this trust, and for all legal matters have taken the advice of the same counsel as were employed by the late Earl about his affairs. For what concerned the better government of these islands, they obtained a commission under the Great Seal to divers commissioners nominated and approved by your Majesty to give petitioners advice and assistance relative to the government and furtherance of the plantations there. Your petitioner, the now Earl of Carlisle, conceives and is advised that the right of government of these islands is descended to him and did not pass by the grant of the late Earl to the other petitioners, who nevertheless conceive and are advised that it belongs to them, as well as the receiving of the profits, which difference in opinion themselves cannot reconcile, and this difference is some impediment to the proceedings of this business, which on all sides they are very desirous may be settled. Their joint suit to your Majesty is that yourself, or such referees as you shall think fit, may determine this difference and settle the same for the better advancement of these plantations, and of the petitioners' profits for payment of the debts, and that the aforesaid commission may be renewed to the same and other fit commissioners to be nominated by petitioners. *Underwritten,*

- I. *Reference to the Chief Justice of Common Pleas, who, assisted by the Attorney-General and other of his Majesty's counsel-at-law, is to consider of the above petition and certify his Majesty to whom the right of government of the Caribees appertains; and such commission is to be prepared for the better government of these islands as is desired. Whitehall, 22nd Feb. 1639-40. [Copy. Ibid. p. 153. =1 p.]*

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Feb. 22.
Whitehall.

7. Commission of Algernon Earl of Northumberland, as captain-general of his Majesty's army and fleet in this present expedition, appointing Capt. John Mennes to be captain of a troop of carabineers, which troop he is required to raise and to have in readiness, duly exercised, to be conducted to the rendezvous for service when required. [*Signed and sealed. Parchment.*]

Feb. 22.
Whitehall.

8. The like commission to Sir John Suckling to be captain of a troop of carabineers. [*Copy. 1 p.*]

Feb. 22.
Berwick.

9. Sir Michael Ernle to Sec. Windebank. By the Council's letter of the 12th present, I was commanded to give you an account of the several rents of the houses formerly belonging to this garrison, the which I have sent hereinclosed. I was also required to have an estimate made of the charge of repairing the same, which I have accordingly done. The cost of repairing these houses will be 55*l.*, exclusive of a very great oven which is wholly decayed and will cost to rebuild 70*l.* No news from Scotland worth your information. The common people of Edinburgh are so much discontented that the magistrates should suffer those men whom his Majesty sent to have such quiet passage to the castle, that they protest they shall hereafter have no assistance from them. It is reported here that the Earl of Haddington shall have the chief government of these parts next Berwick. [*Seal with arms. 1 p.*] *Encloses,*

9. i. *A particular of the buildings formerly belonging to his Majesty within the town of Berwick, with their annual rents. Total, 56*l.* 18*s.* 4*d.* [1½ p.]*

Feb. 22.

10. Petition of John Bumsted, lime merchant, prisoner in the King's Bench, to Archbishop Laud, of Canterbury. Complains that Richard Hart, LL.D., having sold to him certain timber trees at Fulham, valued 86*l.*, and sealed a bond of 300*l.* penalty that petitioner should enjoy his bargain, received 6*l.*, and was to have the remaining 80*l.*, but meanwhile petitioner discovered that the timber, in the felling of which he had expended 30*l.*, did not belong to Hart, but to the executors of Richard Richards, to whom the property had previously been mortgaged. It plainly appears that Dr. Hart sold what he had no right to, and that his bond for 300*l.* is forfeited; yet notwithstanding, Hart has cast petitioner into prison for non-payment of the 80*l.*, and there detained him since New-year's day, thus throwing 40 labourers, employed by petitioner, out of work, and ruining him unless your Grace vouchsafe some relief speedily. Prays leave, to avoid contempt, that he may sue or arrest Dr. Hart upon his bond, when the latter will be content to release petitioner out of prison, where he is wrongfully detained. *Underwritten,*

10. i. *Reference to Sir John Lambe to see that petitioner receives satisfaction from Dr. Hart, or else that he may have leave to sue him at law. Feb. 22, 1639-40. [1 p.]*

Feb. 22.

11. Certificate of John Erlysman that Sir William Brouncker, having command of a troop of horse, had entertained Nathaniel Stevens

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under his command [see Vol. ccccxlv., No. 78], when the latter was arrested by sergeants George Norman and Thomas Measure. [$\frac{1}{2}$ p.]

Feb. 22.

12. Account by Sir William Russell and Henry Vane of ship-money for 1638. Total received, 55,003*l.* 13*s.* 10*d.*; in arrear, 14,746*l.* 6*s.* 2*d.* Memorandum.—The mayor of Bridgewater has made up 25*l.*, which will be paid in next week. [1 p.]

Feb. 22.

13. Account of ship-money for 1638 levied and in the hands of the sheriffs. Total, 770*l.*, making with the 55,003*l.* paid to the Treasurers of the Navy 55,773*l.* The arrears were for 1635, 4,536*l.*; 1636, 6,954*l.*; and 1637, 17,002*l.*, no part of which had been paid in this week. [1 p.]

Feb. 22.

14. Certificate by the Treasurers of the Navy of ship-money received this week upon writs of 1639. Total, 1,463*l.* 7*s.* 7*d.*, besides 1,666*l.* in the hands of the sheriffs. [$\frac{3}{4}$ p.]

Feb. 22.

15. Receipted bill of Walter Hall, bricklayer, being for 8*l.* 9*s.* 0*d.* for work done for Edward Nicholas. [2 pp.]

Feb. 22.

16. Particulars of fen lands, specifying the quantities set out between Kime-eau and Lincoln. [$\frac{3}{4}$ p.]

Feb. 23.

Warrant to the Court of Exchequer requiring that the cause against Sir Henry Gibb and others, appointed for the first Thursday in next term, be heard the first cause that day. [Docquet.]

Feb. 23.

Grant of denization to Peter Bell, Peter Barchman, David Gunbard, and Catherine Cruso, aliens, being part of the number of denizations granted to David Alexander and John Geddis. [Docquet.]

Feb. 23.

17. Mem. of the demands or requests made by Patrick Lord Ettrick to the King, and delivered at the Committee to Sec. Windebank, 24th Feb. 1639-40, with the answers in Sec. Windebank's hand to the same in the margin.

1. Lord Ettrick desires your Majesty to send him your articles of war, that he may, for the better government of the soldiers, inflict such punishment for offences as shall be deserved. *Margin*: 1. The printed book of orders for the last army.

2. He desires your Majesty to signify your pleasure concerning Sir John Ruthven and Colonel Francis Ruthven. *Margin*: 2. They shall be entertained in the quality they have formerly served in, if they will repair hither, and as many other officers as will come hither, and therefore let as many be won over as may be.

3. He desires direction how to behave hereafter in your Majesty's service. *Margin*: 3. A letter to be written under the King's hand to Lord Ettrick, giving him power to use all acts of hostility against the town upon any occasion that he shall think fit.

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4. He gives your Majesty to understand that he has never received any means or allowance, but has lived there at great expense upon his own charge, and humbly desires you to take into consideration that he cannot receive his own means in the hands of other men to maintain it any longer. *Margin*: 4. 40 marks Scotch per diem to be allowed him in the meantime as governor of the castle, till his Majesty may better consider him.

5. He beseeches your Majesty to let him understand whether or not he may take on soldiers until he has 300. *Margin*: 5. The Earl of Traquair to be advised with.

6. He desires your Majesty to grant [his requests in the behalf of his secretary and the master-gunner. *Margin*: 6. For his secretary and the master-gunner already ordered.

7. He most humbly desires your Majesty to signify to him what pay you will allow Lieutenant-Colonel Scrymsoure [Scrimgeour], the Constable under him, who lives hitherto upon his own charges. *Margin*: 7. Scrimshaw [Scrimgeour] a captain's pay, 15s. per diem, from the time he entered. *Underwritten in Nicholas's hand,*

17. I. *The Lord Ettrick to send [a note of] what provisions will be necessary to be supplied for securing the castle against a siege for 12 months. Men to be sent to Inch-Keith. The Lord Marquis [Hamilton's] proposition. 600 men to be presently put in readiness, provisions for them for [12] months, for the Castle of Edinburgh, in the same way that the other 100 were. If they of Edinburgh [oppose this], then to put them in Inch-Keith. This within a month. The ground is the dividing of Edinburgh from the rest of the kingdom. [Margin: The Lord Marquis' proposition.] 200 men to be provided and sent to Edinburgh; four months' victuals; the men before the victuals. Two mortar pieces to be sent with the 200 men, and a proportion of granadoes. [1 p.]*

Feb. 24. Minutes by Nicholas of business transacted this day by the Whitehall. Council of War. The Lords declared that the distribution of the list of the 30,000 foot to be raised in the several counties of this kingdom has been shown to and approved by the King. Resolved that in the indenture to be signed by the captains of horse, it be expressed that 2*d.* per diem is to be defalked out of every trooper's entertainment for payment of arms till the King shall be reimbursed the charge thereof, and that the Lord-General be prayed to put into the horsemen's instructions that if any soldier dies his executors shall be reimbursed by his successor such moneys as have been defalked for arms. [*Written on the same paper as Feb. 22, No. 6. = $\frac{1}{3}$ p.*]

Feb. 24. Similar minutes of the Council of War. [*Written on the same paper as Feb. 8. See Vol. ccccliv., No. 56. $\frac{1}{3}$ p.*]

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Feb. 24.

Articles of indenture agreed upon between William Ewer, of Malton, co. York, and Ursula Catesby, grand-daughter of Richard Catesby, of Drury Lane, co. Middlesex, on the one part, and Richard Catesby, the elder, of Drury Lane, of the other part. By this indenture Ursula Catesby articles and agrees to and with Richard Catesby, party to these presents, that if the said Ursula shall happen to die before her marriage, that then she shall give and dispose to William and Elianor Catesby, her brother and sister, 100*l.*, being part of 250*l.* herein expressed to be equally divided betwixt them in case that William and Elianor, or either of them, shall be then living at the death of the said Ursula. [*See Case E., No. 19. Half skin of parchment.*]

Feb. 24.

Letters of attorney by Sir Thomas Lucie, of Charlcoate, co. Warwick, and Richard Catesby, of Drury Lane, granting to William Ewer, of Malton, and Ursula Catesby, grandchild of Richard Catesby, power to implead and prosecute suits in the name of Sir Thomas Lucie against Sir William Saunders and others named for recovery of several sums of money upon their bonds. [*See Case E., No. 20. Half skin of parchment.*]

Feb. 24.

18. John Nicholas to his son, Edward Nicholas. Thanks for your letter and news. The Sheriff of Wilts prepares to wait on the judges very bravely, many friends helping to furnish him with men and horses. I have lent him my man, W. Gauntlett, and my best horse. I find myself much weakened by my last extreme sickness, and cannot expect better, since old age is sickness enough. Your mother is little better than myself, and has recovered her lameness. You shall receive by the carrier a fitch of bacon, two turkeys, three capons, and two pullets. [*Seal with crest and arms. 1 p.*]

Feb. 24.

North Somercotes.

19. John Gray to Endymion Porter. I know your weighty affairs take off your thoughts from Somercotes, but I pray you sometimes to think thereon, even though your wishes are that you had never known it, or not had such cause to have thought on it; yet have you done good to every one there but yourself for the present. I acknowledge your noble intention towards me, but the profit I enjoy thereby is of less value than you imagine, for though the allowance of 6*d.* per acre for your whole 1,000 acres be very small, yet in testimony of those thankful respects I owe you I was well contented with it, provided that it should be constantly paid me, and withal that for the lower 500 acres which Cutteris farms there should be a consideration of 50*l.* paid me in addition to the 6*d.* per acre. As for your upper grounds I look for no other consideration than what I have formerly offered to accept. [*Seal with device. 1 p.*]

Feb. 24.

20. Certificate by William Ryley, Bluemantle, of the funeral of Rachel Countess of Southampton, late wife of Thomas Earl of Southampton. She died at her house in Tothill Street on the [16th] day of February inst., and was buried this day at Titchfield, Hants. [*Draft, incomplete. 1 p.*]

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- Feb. 24. 21. Deposition of John Brand, master of the Gift, a small fishing boat. Was hired by Capt. Sinny to transport 32 passengers, of whom three were women, into Flanders. The passengers who embarked below Blackwall were all Irish except one boy, and were going into Flanders to serve as soldiers. [$\frac{2}{3}$ p.]
- Feb. 24. 22. Brief of the proofs *ex parte* John Gardner, plaintiff, in a suit in the Arches Court against Tydie and Jupe. Dispute as to the custom of making rates in the parish of Rusper, Sussex. [7 pp.]
- Feb. 25. 23. Edward Misselden to Sec. Windebank. The service so well
Hackney. prepared, accepted of by his Majesty, and favoured by you, is like to be lost by some late insolencies and violent opposition of some in the Company of Merchant Adventurers. Upon the King's pleasure, signified to the governor, deputy, and others by you on the 25th January, there was a conference, but no encouragement. Since then, the deputy attending you about the Duke of Lennox' license, you told him that the King expected an account of that direction of the 25th January, whereupon at the next general court he read the letter to the whole Company. The best is that the main thing was not expressed in the letter, else all had been lost. Though it took well amongst the principal and more discreet of the Company, yet some rash and violent men stuck not maliciously to cross that which no reasonable man could oppose, and amongst those Peter Jones falsely cast upon me, to answer for myself, then not there, the aspersion that I was not to be trusted, for that I had committed perjury in the denial of some petitions presented to the King or Lords, which was very offensive to all honest men who heard it, but it caused such a disorder in their court that they rose *re infectâ*; I may say *defectâ*; nothing done, but the service undone, and as good as lost. Reverence was generally shown to the letter, but Jones slighted it, calling it a bugbear. You see the King's service and honour is here engaged, and for myself I have more than ever cause to implore your favour to vindicate this gross and insufferable disgrace, which goes to the quick. I pray you to represent these things to his Majesty, and to signify his pleasure thereupon. [1 p.]
- Feb. 25. 24. The same to [Robert Read]. Though it be my unhappiness
Hackney. to be trod upon and maligned for well-doing, yet even that may turn to your honour to help to defend the innocent. I am forced, you see, oftener upon Mr. Secretary than is meet. But these are pressing things which go to the quick and must not be let pass or smothered in silence. I am an earnest suitor to you to put Mr. Secretary in mind to move the King as soon as is possible. [$\frac{1}{2}$ p.]
- Feb. 25. 25. Allan Boteler to the same. My friend informs me that
Inner Temple Mr. Jones, the Reader of Lincoln's Inn, did yesterday in his reading
Churchyard. touch upon many points of honour, amongst the which it was questioned what honour was due to the Secretaries of State by right or favour, as also whether they have any place *de jure* in the Upper House of Parliament. Messrs. Babor and Tailer having undertaken

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[to argue] it, concluded that they had no place in the Upper House unless made barons or called by writ. This is the effect of all I have learned in this. I am assured you are so noble and sensible of my cause that I need not press for answer to the business I moved you in last night. The writs are known generally to be gone forth, which makes Dunkirkers lie in wait for me by sea and land, but it is in your power to release me. [$\frac{1}{2}$ p.]

Feb. 25. 26. Acknowledgment by Ludovick Earl of Crawford of the receipt of 100*l.* delivered to him by his Majesty's commandment. [$\frac{1}{3}$ p.]

Feb. 25. 27. Certificate by Edward Raye, rector of Tunstall, that he had entertained as his curate at Tunstall Edmond Pratt, M.A. [6 *lines.*]

Feb. 25. 28. Certificate by William Ryley, Bluemantle, of the death of Thomas Earl Rivers, at his residence, Winchester House, near Broad Street, London, on this day, and his interment at Chick St. Osyth, Essex. He married Mary, daughter of Sir Thomas Kitson, of Hengrave, Suffolk, by whom he had issue Elizabeth and Penelope; the former married Thomas Viscount Savage, lately deceased, and had issue eleven sons and eight daughters, whereof ten were living at the time of her husband's decease, viz., 1. John Earl Rivers, who married Catharine, second daughter of Henry Lord Morley and Monteagle, and had issue Thomas, now Viscount Savage, John, Richard, Elizabeth, Jane, Catharine, and Mary. 2. Thomas, who married Bridget, daughter and coheir of William Whitmore, of Leighton, co. Chester; she was also heir to her mother Margaret, daughter and heir to Sir Hugh Beeston, of Beeston Castle, co. Chester. 3. Francis. 4. James ("died without issue," *interlined*). 5. William. 6. Richard. 7. Charles. The eldest daughter of Thomas Viscount Savage at the time of his decease was Jane, who married John Marquis of Winchester, and had issue Charles Lord St. John of Basing. The second daughter, Dorothy, married Charles Viscount Andover, eldest son of Thomas Earl of Berkshire, and has issue one son, named Thomas. The third daughter, Elizabeth, married Sir John Thimbleby, of Erneham, co. Lincoln, and has issue one son, named John. The fourth daughter, Anne, married Robert, eldest son of Lord Brudenell. The fifth, Katherine, and the sixth, Henrietta Maria, yet unmarried. Lady Penelope, second daughter and coheir of Thomas Earl Rivers, the subject of this certificate, was married, first, to Sir George Trenchard, by whom she had no issue; and, second, to Sir John Gage, by whom she had many children. [*Signed by Elizabeth Viscountess Savage.* 2 $\frac{1}{2}$ pp.]

Feb. 25. 29. Draft of the same. [3 pp.]

Feb. 26. Warrant under the Signet to the Sheriffs of London to deliver to Capt. Philip Bell the bodies of Robert Smyth and 24 others, condemned prisoners in Newgate, to be transported into foreign parts, with proviso that if they return without license or pardon, then they shall be executed. [*Docquet.*]

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Feb. 26. Warrant to the Exchequer to pay to John de Cretz and others 620*l.* upon accompt for a barge of State to be made for the King's service against the meeting of Parliament. [*Docquet.*]

Feb. 26. Grant to Clement Halsey of a gunner's room in the Tower of London, with the fee of 6*d.* per diem, to commence from Lady-day 1636, during pleasure, *vice* Edward Roades. [*Docquet.*]

Feb. 26. Warrant to the Exchequer to pay to Sir Job Harby and Sir John Nulles 25,000*l.* with interest after the rate of 8*l.* per cent. from the 8th of July last, that sum having been disbursed by them for redemption of his Majesty's great jewel, left with the King of Denmark; also 200*l.* for transporting of the same. [*Docquet.*]

Feb. 26. 30. The King to Patrick Lord Ettrick. By yours of the 18th of Whitehall. this present month, and by the relation of this bearer, William Roberts, we have been particularly informed of the present state of the Castle of Edinburgh under your charge, and of the reinforcement of men and ammunition lately put into it, which we hold a very great service, and acknowledge the success chiefly to your care and dexterity in the prudent ordering and managing of it. This as it has been a very great contentment to us, so you must be confident we will retain it in our princely memory for your advantage upon all occasions, and therefore we doubt not but upon these encouragements and assurances of our favour and in your own good affections to the preservation of our regal authority and government, you will continue your fidelity and diligence, which will be the more eminent and of the greater honour to you in these times of disorder and disobedience. For answer to your letters and memorials presented to us by this bearer we find him very worthy of the judgment you have given us of him, and therefore we have returned him back to you with the more speed, that our service may not suffer by his absence; and for allowance to be made him for services already rendered as secretary to you and paymaster to the soldiers we are pleased to confirm to him the place of paymaster to the garrison with allowance of 10*s.* a day from Christmas last; and concerning James Goodall, master-gunner of our castle, we confirm to him for life his present pay according to your desire. Your other memorial [*see 23rd Feb., No. 17*] we have likewise taken into consideration, and according to your desire have sent you by this bearer the printed book of orders made the last year for the government of our army [*see Vol. ccccxv., No. 116*]. You are also now to receive a commission authorising you to use martial law as well in inflicting punishment upon those in the castle who may be delinquents, as in suppressing any insolencies, seditions, or rebellions in the town of Edinburgh, and to exercise acts of hostility against all such there as shall raise any insurrection or disorder. For Sir John Ruthven and Colonel Francis Ruthven you are to assure them from us that they shall be entertained in the quality they have formerly served, if they will repair hither, and you are to give like assurance to as many other officers as will enter into our service here, that they

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shall be well received and entertained, and therefore you must use the best means you can to gain as many officers from the other party as may be, letting them know they shall be very welcome hither. That which concerns yourself in this memorial we hold very reasonable, and we are pleased to allow you 40 marks Scotch by the day, to begin from the time you first entered into the castle and undertook that service. This entertainment we do not bestow upon you as a sufficient remuneration for your service, but as a pledge and mark of our favour to you in the meantime, until we shall have opportunity to confer somewhat of better consideration upon you, and more equivalent to your merit. For the taking in of more soldiers we will advise further upon it as a business of some consequence, and which will require more deliberation. That which you move concerning Lieutenant-Colonel Scrymsoure [Scrimgeour], the Constable under you, we think very fit, and are contented to make him an allowance of 15s. a day from the time of his first entrance into that employment. If you will send [word] by an express what further supplies of men and munition will be necessary for securing the castle against a siege for 12 months, it will give us great light what course to take in time for your preservation. This bearer has recommended to us three gunners to serve in our castle, Richard Roberts, John MacWharter, and John Pescod, whom we require you to admit and make them such allowances as are ordinary, for which this shall be your warrant. [*Endorsed by Windebank*, "Draft of his Majesty's letters to the Lord Ettrick, sent by William Roberts, his lordship's secretary. With this was sent the book of printed orders, and a commission under the signet. 26th February 1639-40." 3 pp.]

[Feb. 26 ?]

31. The King to the Provost and Bailies of Edinburgh. We understand by your letters to us of the 18th February [*see Vol. cccclv., No. 61*] that according to our commandment you have caused the men and munition lately sent to our castle to be conveyed thither, which being for your own safety, and to secure you from the disorders of such as are ill-affected to our government and your peace, it concerned you to further with all readiness. Nevertheless we like very well the conformity you have shown to our pleasure, and take it as an argument of your good inclination to comply with your duties in other our services, which if we shall find really performed you may be confident that no enemies of yours whatsoever (if any such were near us) shall have power to settle other opinion in us than that which becomes a just and gracious prince to retain of good and loyal subjects. For these national statutes you mention, and the common law of nature which forbid the receiving of any other than natives into the strengths of a free kingdom, they are nothing to this purpose, seeing that as by the union of the two crowns of both these kingdoms in the person of our late dear father of blessed memory, the *post-nati* of Scotland were declared and are still accounted natives of this realm of England, and are as capable of any privileges and immunities here as any

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subject whatsoever born in England, and many of them do enjoy them accordingly ; so, by the same reason, our subjects of England born since the union are of right to be accounted natives of that our realm of Scotland, and to enjoy all privileges of free-born subjects there, by which that objection appears to be wholly without foundation. This being evident, you see how little cause you have of fears and jealousies, that any, by procuring hard and grievous commandments, do plot and project your ruin, seeing we intend nothing but your safety and preservation. [*Endorsed by Windebank, "First letters to the town of Edinburgh." Draft. 1½ p.*]

Feb. 26.
Westminster.

32. Patent appointing Sir William Uvedale, Treasurer of the Chamber, to act as Treasurer-at-Wars for the present intended expedition, with an allowance to himself for the execution of this office of 40s. a day for diet and a poundage of 12*l.* 10s. in every 1,000*l.* passing through his hands for portage, besides which for the allowance of two deputies 6s. 8*d.* a day each, for six clerks 2s. a day each, and for a messenger 12*d.* These allowances to commence from 1st March next. [*Copy. 2½ pp.*]

Feb. 26.
Berwick.

33. Sir Michael Ernle to Sec. Windebank. The 22nd of this present month I gave you an account of what was commanded by the Lords of the Council concerning the several rents of all the store-houses formerly belonging to this garrison, and an estimate of the charge of repairing those houses. I also gave the mayor and his brethren to understand that they must be ready for his Majesty's use by Lady-day next. I required the mayor and some of the aldermen to subscribe to the note I sent, but they refused, because they said they hoped they should have greater rent for some of those houses, pretending they had been at much cost in repairing some of the houses from time to time. It is certain the common people in Scotland begin to be much discontented and jealous of many of those on whom they most depended, yet I am informed they have taken a very vigorous course against some particular men who refuse to contribute to their last order which they made for raising of money. They think their commissioners have waited over long for access to his Majesty. Their officers are still in several parts of the country, and sometimes they exercise the people, who come not with that willingness they were wont heretofore. I desire pardon for having neglected to write to you one whole week. P.S.—Concerning the works of all sorts Capt. Lloyd will give you particular account. I desire that a surgeon may be sent hither, for if a man be sick we cannot so much as get him let blood. If I had your order I could procure one sufficient. [*1 p.*]

Feb. 26.
Berwick

34. George Payler to Sec. Windebank. In my last I begged your assistance for my coming up to discount, to which I understood the Lord Treasurer is consenting, but I will not presume to remove until I have his express commands. If the Lord Treasurer had enlarged me at once I could have left sufficient money for the garrison until my return, but being delayed the treasure in my custody

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will be so much expended that I must solicit for a new supply before I take my journey. Much of the earthwork newly made upon the walls nigh the Cowgate is again broken down, and the wall in many places is in danger to be ruined, owing to the weather. Capt. Lloyd was very industrious to make it substantial, but his endeavours are now hazarded after he had expended 677*l.* 18*s.* 6*d.* Sir Robert Jackson intends to-day to take a muster of all the companies in this garrison. The commanders have denied obedience to some part of his Majesty's instructions, which cannot be reconciled but by a high hand. [1 *p.*]

Feb. 26.
Berwick.

35. Capt. Charles Lloyd to Sec. Windebank. In my last I sent you a report of my proceedings with which I hope you were content. Since then I have been troubled with an excessive quantity of snow and rain, which has caused some part of the main earthwork to sink a foot, and so prevented my further progress until more settled weather, about the end of April. The town is in a good state of defence against any sudden attack, the small breastwork being sufficient for the present, seeing no ordnance as yet can be brought before it. This wet has also broken down part of the stone wall next the river, but does not prejudice the strength, seeing it was on the top of the steepest part of the hill, which is inaccessible. Divers houses which have stood for 40 years have shared the same fate, and the inland waters, as we hear, have drowned many passengers. The carpenters are in hand with a barricade before the drawbridge at the bridge and the scaffold for the ordnance, with a gate for the Newgate, all which I hope to have up the next week, but the drawbridge at the Cowgate I cannot set up till the weather permits. The masons are repairing the broken wall in the most necessary places. Thus I have given you a true relation of the state of the town. [1 *p.*]

Feb. 26.
Llewerllyd.

36. Ralph Hughes, sheriff of Flint, to Nicholas. I received the ship-money writ with the Council's instructions for that service on the 27th December, and a letter from the latter, dated the 12th January last, requiring me to pay in to the Treasurer of the Navy such sums as I should have received by the 20th of this month, with an account of my proceedings. Forasmuch as I am advertised that my predecessors, sheriffs of this county, were wont to receive letters of direction from you touching these affairs, and that their answers to you were satisfactory to the Board, I make bold to acquaint you with the difficulties and distractions which I daily meet with in these my proceedings, and pray you to acquaint the Lords with the particulars here related touching the assessment of the ship-money on this county, and the opposition made thereto. There is scarcely a township in all the county from whence I have not received complaints. Some money is collected, but none has come into my hands, every collector returning to me, instead of money, either complaints or professions of poverty. And to be too forward to distrain in this dead time, when money is so scant and cattle so much impaired with labour, would in my opinion much dishearten the people, and make the service more distasteful; but I will use the best means

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I can to gather in what moneys I can for the present, and when I have secured the moiety will hasten to pay it in to the Treasurer. [*Seal with arms.* 1 $\frac{3}{4}$ p.]

Feb. 26.

37. Acquittance of William Caldwell for 10*l.* received of Edward Nicholas as rent for his house in King Street, Westminster, for the quarter ending Christmas last. [$\frac{1}{3}$ p.]

Feb. 27.

38. Capt. Francis Trafford to Sec. Vane. Perceiving that great preparations are made and the superior officers already pricked, while I am not mentioned or assured of any command, this emboldens me to acquaint you with what is necessary for the King's service. 1st. That the 600 dragoons now lying in Cumberland may be so settled as to render them useful upon all occasions, for being as they are now they can do little good, seeing that Sir Richard Gream and others have, and still do endeavour to render them useless. 2nd. That the Lord-General will give me order and commission for levying 400 dragoons in Wales to make the regiment of 1,000 complete, each trooper to be armed with a Scotch pistol, besides musket and sword. The 600 Cumberland dragoons to remain for their country's defence upon their own border, for that is their desire. The 400 Welsh to be disposed of wheresoever the Lord-General shall think fit. 3rd. That I may be thought worthy to command a troop of arquebusiers, which will be a great strengthening to the regiment, and make me capable to quarter myself in an enemy's country, or to attempt anything that I shall be commanded to do. These my requests I commend to your honour's favour, and desire that you will think I make suit for no greater a command than I formerly have had in foreign parts, being fully assured that none can so justly pretend to cavalry service as myself. [*Seal with crest.* 1 $\frac{1}{2}$ p.]

Feb. 27.
Newcastle.

39. Sir John Marlay to Sec. Windebank. I hope mine of the 5th inst. came safely to hand, since which time I can by no means learn where Sir John Bohannon [Buchanan] remains; if in Northumberland he keeps very close, but it is supposed that he is gone for Scotland. I am informed that he has good store of money at interest in Newcastle, but Allen the attorney, with whom he lodged, and who is now at London, can inform in whose hands his moneys are; if not, I think I can learn it. I am persuaded the money may find him out if there be need. [$\frac{1}{2}$ p.]

Feb. 27.
London.

40. Mr. Harrington to the Alderman and his brethren of Stamford. My near habitation and three years' education within your liberties has made such a powerful and affectionate impression that I should seem infinitely ungrateful did I not labour after a thankful return. A fit opportunity I have long waited for, which is now effected in his Majesty's summons to a Parliament, wherein, if you shall think me worthy, I declare myself cheerfully willing to do you service. To adapt me for this I desire the favour, though absent by reason of urgent occasions, to be presently registered a member of your corporation, and I shall shortly attend you to take my oath, and to

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express both to you and the town my real thankfulness. This my request, though unusual, is not illegal, as I am informed, but I refer myself therein to you and to your learned counsel. I should here conclude, but that my duty to the republic, whereof we are all fellow members, commands me to put you in mind of the weight of the business which God and the King have intrusted you with. Our Solomon has, by virtue of his writ, made you principal architects to choose fit materials for the building of a royal and living house for the safest peace and glory of his kingdom. Let it be your care then that it may prove a Bethel, a house of God, not a Babel, a tower of confusion. This, like the first temple, must be built with stones ready squared; no hewing, no putting to school; their 30 winters are scarce sufficient to warrant them from mouldering to dust under the pressure of that employment. To you is committed both the sword and the balance to divide and to distinguish. These corner-stones must neither recline, decline, nor incline, but stand upright and perpendicular to heaven, as being immoveably fixed upon the basis and foundation of naked truth. The eye of wisdom and the hand respecting public good, not private and by-ends, must hold the plumb-line of judgment to each stone, from whose voluntary, not wracked or limited, motion will necessarily follow a right censure and happy election. I need write no more nor this, as being assured that your piety abhors to betray his Majesty's trust and your country's good. If by these honest remembrances I have excluded myself I am well contented with that reverend bishop, rather to want a place than that the place should want a man. [*Signature torn off.* 1 p.]

Feb. 27.
Wood Street.

41. Certificates under the hands of John Lee and John Helmes that John Gislingham had withdrawn his action commenced in the Sheriff's Court, London, against Nathaniel Stephens. [1 p.]

Feb. 27.
Whitehall.

Minutes by Nicholas of business transacted this day at the Council of War. Ordered that four companies of foot, each to consist of 100 men besides officers, shall be forthwith raised for reinforcing the garrison at Berwick; viz., 200 in Yorkshire, 100 in the east and north ridings, and 100 in the west riding; 100 in the bishopric of Durham; 60 in co. Northumberland; and 40 in co. Cumberland. The officers of these four foot companies to enter into pay upon setting forth towards Berwick. Three of these companies to be armed at Newcastle and the other at Berwick; their arms to be two parts muskets and one-third pikes. Order to be given to the Lord Mayor of London for pressing 200 foot within the City and its liberties, the same to be embarked at the Tower Wharf for the north. The arms for these 200 foot to be supplied by the Master of the Ordnance, and sent by sea; three parts muskets and a fourth part pikes. Ordered that Morgan and Gislingham, who caused a trooper belonging to Sir William Brouncker's troop to be arrested, shall remain in the messenger's custody until the trooper and his bail be released. [*Written on the same paper as Feb. 22nd. See No. 6.* 1 p.]

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Feb. 28. Grant to Richard Nevill, gentleman of the bedchamber to the Prince, and to his heirs in fee-farm of the common or waste called Millhay or Millmore, Millnhayward or Colebrookward, parcel of the forest of Duffield Frith, co. Derby, and other lands recovered for his Majesty in the Duchy Chamber by Nevill's prosecution, the same to be charged with the rent of 45*l.* 3*s.* per annum to the Crown, being an increase to the revenue. These lands are to be held in free and common socage of his Majesty's manor of Enfield, Middlesex. [*Docquet.*]

Feb. 28. Grant and confirmation to George Kirk, his Majesty's servant, of certain parcels of fen lands in the West and North fens, near Boston, Lincolnshire, amounting to 2,167 acres, at a reserved rent of 109*l.*, the same to be held in free and common socage of the manor of Enfield, Middlesex. [*Docquet.*]

Feb. 28. License to Edward Russell, Esq. son of the Earl of Bedford, to travel beyond sea, with two servants, for three years. [*Docquet.*]

Feb. 28. Congé d'élire to the archdeacon and chapter of Llandaff to elect a bishop to that see, the same being void by the death of the last bishop [William Murray]. [*Docquet.*]

Feb. 28. The King to the same. Recommends Morgan Owen, D.D., to be elected bishop of Llandaff, by warrant from Archbishop Laud. [*Docquet.*]

Feb. 28. Grant to Edward Potterell and others as trustees for the commoners and tenants of Alderwasley and Ashleyhay of 550 acres of waste or common, called Millhay, parcel of the forest of Duffield, co. Derby, allotted to them and their heirs for ever at a reserved rent of 2*s.* per annum, to be held by fealty only as of the manor of Enfield, Middlesex, with a free exemption from all liberties and laws of forest. [*Docquet.*]

Feb. 28. Warrant to the Exchequer, and to the collector of the new imposition upon strangers' goods in the port of London, to pay out of the money to be received upon the said imposition for the years 1640 and 1641, to the Earl of Newcastle or his assigns, 10,000*l.*, that sum having been lent to his Majesty, with interest at 8*l.* per cent. [*Docquet.*]

Feb. 28. 42. List of officials and others required to lend money to the King upon the Scotch business; all were warned to appear at the Council Board except six, who are described as out of town. [$\frac{3}{4}$ p.]

43. Similar list with the amounts subscribed by each. [$\frac{3}{4}$ p.]

Feb. 28. 44. Answer of the tinnors of Cornwall to the order made this day at the Council Board, your Majesty being present. The tinnors are altogether surprised therein, and never had notice of any report

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made by the Lord Treasurer and Lord Cottington upon the remonstrance of Sir Job Harby, touching the tin mine discovered in Barbary, mentioned in the said order, nor of the order of the Board before the 22nd of this present month. The tanners humbly submit that upon this last increase of price given, the adventuring tanners have, according to your Majesty's declaration, given an increase of wages to the labourers about the tin which cannot now be abated without stopping the tin works in Cornwall; they likewise show that it is impossible that a tin mine so lately discovered can in any considerable manner hitherto have prejudiced the vent of English tin in foreign parts. [1 p.]

Feb. 28.
Whitehall.

45. Sec. Vane to Sir Thomas Roe. Since my last of the 21st inst. I have received one from you of the $\frac{4}{14}$ of the same month, directed to Sir John Coke, which I have communicated to his Majesty. The writs for the summons of Parliament being now issued busy the people in choosing their knights and burgesses; God give his blessing to the meeting. I moved his Majesty concerning General King, and he told me he had already directed Sec. Windebank to write to you to send King for England, where he intends to give him employment, or else other contentment. I hold him a gallant man, and think you have done his Majesty a great service in disposing him to serve his prince. You may assure him of my service whether his Majesty's affairs shall settle in peace or war; the first I hope will still continue, for the end of war must be peace at last. Three of your letters, under cover to my predecessor, have been brought to me, in all which you express your desire to return. I have not omitted to inform his Majesty thereof, nor to press for his resolution. I find him inclining [to grant your desire], and nothing but his service can keep you long abroad, for you have so well acquitted yourself in your negotiation, and given his Majesty such full satisfaction in all his affairs, that you may take some comfort therein. In my next I shall be able to speak more clearly of the time when you are like to be recalled, for the King of Denmark, in his letter to his Majesty, intimates his desire of mediation for peace. As he shall advance therein, and the affairs shall be so well prepared as to come to a general assembly to conclude of a general peace, Cologne being the place spoken of, that King will then call upon his Majesty to send an ambassador either thither or wheresoever else, to co-operate with his, for the interest of his nephews and the Palatinate; for which service I know none so able nor so well experienced to perform as yourself; for, being upon the place, and having a perfect knowledge both of persons and affairs, it must be from your hand that the great difficulties that are to be surmounted must be removed, or by your wisdom and dexterity facilitated, or else to confess my hopes of success in that great affair will not be great. [2 $\frac{3}{4}$ pp.]

Feb. 28.
London.

46. Sir Richard Cave to Sir Thos. Roe. Yours of the 4th January has had a cold journey, for it came to me but this morning. Within

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two days you will hear of Prince Casimir's liberty, by which the French, it seems, can make more advantage than by keeping their word and promises to the King concerning Prince Rupert. The Prince Elector for these last six weeks has been more strictly and closely kept than formerly; his usage has been and is most barbarous; yet they write to me from thence as if they suddenly expected his liberty, which I fear will not be easily granted without conditions. M. de Chavigny and M. de Bellievre were with his Highness about 10 days since, when the latter was left alone with him for three hours, and as 'tis thought, says Augier, left a paper with him to consider, but whether to sign or not is not said. I have not of late written to his Highness; I am counselled the contrary; indeed, any intercepted or even suspected conveyance of letters would increase his ill-usage; but in those I formerly wrote I always entreated him to be specially careful not to make himself master of any act or project of consequence without the King's privity, or, at least, without the counsel of the Earl of Leicester. The writs calling a Parliament are issued, and the choice of representatives in divers places already made. The Scotch business is at the very crisis. Our preparations continue at the height. Many cavalry officers have already their commissions, and the infantry colonels are most of them nominated, yet we cannot hear that any answer is given to the Scotch commissioners. What will become of that great business God knows, for I suppose that many of the greatest who sit at the helm are to seek what to say, do, or think in this business, and especially in times when there is so much distraction both in court and country. I believe you will expect to hear no perfect intelligence from me concerning Curtius, when you perceive he would not impart his instructions to the Queen [of Bohemia], for whose only affairs, or at least her children's, he is employed. I will very shortly write to Lady Roe somewhat more concerning Mrs. Rupa and Mr. Gerrard, which is desired on all parts to be kept very secret. [*Seal with arms.* 2 pp.]

Feb. 28.
Whitehall.

Lord Treasurer Juxon and Francis Lord Cottington to Henry Potter, Registrar of the Court of Admiralty, or his deputy. His Majesty, by letters patent of the 6th inst., authorised us to give order to you to pay to Edward Nicholas, clerk of the Council, out of such Admiralty profits as remain in your hand, the sum of 200*l.*, for which, together with Nicholas's receipt for the same, this shall be your warrant. [*Copy. See Vol. ccclviii., p. 118. ½ p.*]

Feb. 28.
Edinburgh.

47. Archibald Earl of Angus to William Marquis of Douglas. I resolved to be the first to advertise you that I have now done that which I told you I should be necessitated to do, and which I delayed hitherto chiefly till I should disengage myself to you. The greatest news here is of the Earl of Northumberland's late patent to come general against Scotland, the copy whereof you will receive herewith [see Feb. 14]. The petitioners [from Scotland] at Court got not presence till Thursday was eight days, at which time, being

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brought in by Lord Traquair, the King commanded them to put their mind in writing, and give the same, with whatsoever else they had to say, to Lord Treasurer Traquair, from whom they should also have their answer. They replied that they had something directly to lay to the Lord Treasurer's charge, therefore desiring his Majesty not to refer them to him. The King answered they behoved to receive the way of their hearing from him, and not to prescribe the same to him, and that Traquair, he knew, was an honest man. [*Endorsed beneath the address*: "This letter should have come from Edinburgh with Patrick Leviston, who said he would be with your lordship this night. I must complain that he came not near me again." *Seal with crest.* 1 p.]

Feb. 28.

48. Deposition of William, son of Sir James Scott, of Balwearie, co. Fife, that about a month since he having cause to speak with James Colville, the latter said he could do his Majesty good service if he were employed, as he had been lately in Scotland, and had met with divers of the chief Covenanters, viz., General Lesley and the Earl of Rothes, so that it were well he were fairly treated; that they had much repented them in Scotland that they had not killed the bishops and done with them, as they had done in Biscay. Deponent further says that Colville has had some discourses with some of the Lower House of Parliament here in England, who said that the Queen's Majesty took upon her to be protectrix of the [Roman] Catholic religion, and that it was disagreeable to the law here, and some of the Queens heretofore had been censured and put off the country for it. Colville also told deponent that the commissioners who came lately out of Scotland had by the way vented divers writings, whether in print or no he cannot tell, but supposes these to have been the little pamphlet lately spread abroad, for they made mention of all the proceedings between his Majesty and the Covenanters, and of their demands now, and of their proceedings in the assembly. One of the prime Covenanters said that if his Majesty entered in blood they had a way for him and his succession; the party he will discover to his Majesty himself. [*In margin*: Mr. Robert Meldrum, if he could be taken by the governor of Edinburgh Castle, and his papers seized, he might discover great things. He has intelligence with Sweden, Holland, France, and others. *In Sec. Windebank's hand, but signed "Baluerie."* 1 p.]

Feb. 28.

49. Points of agreement in the informations returned by Messrs. Nevill, Wright, and Howson, of Merton College, Oxford, concerning the breach of Archbishop Laud's orders in that college. [*Endorsed by Archbishop Laud as sent down to the college, 28th Feb. 1639-40.* 1 p.]

Feb. 29.

Petition of George Bostock, William Burston, Robert Lant, Thomas Yates, Robert Wild, and George Ransome, constables of the ward of Aldersgate, London, to the King. Being appointed by order of the Lord Mayor and Court of Aldermen to erect a cage near Aldersgate, where one anciently stood, petitioners out of their misunderstanding,

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being plain handicraftsmen, in doing thereof committed some offences, for which they received a heavy but just censure in the Court of Star Chamber, three of them being fined in 1,000*l.* each, and the rest 500*l.* each, besides 200*l.* to the plaintiff for his damages, which fines they are unable to pay, having no means but their fingers' ends whereby to get bread for themselves and families; their goods and household stuff already sold to pay the charge of the suit and imprisonment in the Fleet, where they remain, like to perish without your gracious favour and mercy extended towards them. Pray the King of his innate clemency and goodness to the distressed to remit and pardon their fines, and to give order for their enlargement.

Underwritten,

- I. *Order as prayed for petitioners' enlargement and remission of their fines, for which purpose the Lords of the Council are to be attended at their next sitting for mitigation of fines in the Star Chamber. Whitehall, 29th Feb. 1639-40. [Copy. See Book of Petitions, Vol. cccviii., p. 160. =1 p.]*

Feb. 29. Warrant to the master and receiver of the Court of Wards to pay out of that revenue, on the 25th March 1641, 3,835*l.* 11*s.* 3*d.*, and on the 25th March 1642, 4,114*l.* 5*s.* 0*d.*, in satisfaction of money lent to his Majesty by Philip Earl of Pembroke and Montgomery, the same to cover principal and interest [at 8*l.* per cent.]. [*Docquet.*]

Feb. 29. The like to Sir John Wolstenholm and the collector of the new impositions for merchandise outwards to pay out of that revenue, at Michaelmas 1640, 5,000*l.*, and at Michaelmas 1641, 8,000*l.*, in satisfaction of money lent to his Majesty by Philip Earl of Pembroke and Montgomery, besides interest after the [rate of 8*l.* per cent.] when the same shall be cast up. [*Docquet.*]

Feb. 29. Grant and confirmation to Philip Hungate and his heirs, at the nomination of Henry Jermyn, of the manor of Sherburn, Yorkshire, under the ancient tenures and services, and a discharge to him and his heirs of a recognisance of 1,600*l.*, entered into by Ambrose Woolley and Richard Tirrill to Edward VI., of whom they purchased the manor, at 20 years' value, and to pay for the woods as they shall be valued; conditioned that they reconvey the manor to the King and his heirs. [*Docquet.*]

Feb. 29. Grant to Philip Lanyon of a gunner's room in the Tower of London, with the fee of 6*d.* per diem during pleasure, to commence from the death of Nicholas Congan. [*Docquet.*]

Feb. 29. License to George Speake, Esq., to enclose within his park at White Lackington, co. Somerset, two highways passing through the same, on condition that he lay out another highway near the park as competent for passengers. [*Docquet.*]

Feb. 29. Warrant to the Exchequer to pay to Cuthbert Collins 60*l.* without account, for 20 brass trumpets furnished for the King's service the last summer. [*Docquet.*]

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Feb. 29. Demise to Philip Earl of Pembroke and Montgomery of the lordship, manor, town, and castle of St. Briavels, and of the manor of Newland, co. Gloucester, for term of 40 years at the rent of 66*l.* 5*s.* per annum. [*Docquet.*]

Feb. 29. Grant to Edward Stevens and Simon Neale, at the nomination of William Murray, his Majesty's servant, of several manors, rectories, tithes, and chantry lands, mentioned to be formerly granted, 30 Eliz., to Edward Downing and Miles Dodding, which being of greater value than was intended by her Majesty, the letters patent are held to be void in law. This grant is done in consideration of Murray's charges in discovering of the premises, and of an increase of 500*l.* per annum. [*Docquet.*]

Feb. 29. Minute of a warrant to commit James Wilford to the Gatehouse prison. [*See Vol. cccxii., p. 114. 3 lines.*]

Feb. 29. Another copy. [*See Vol. ccccxlvi., No. 1. 4 lines.*]

Feb. 29. 50. Sir Nicholas Martyn, sheriff of Devon, to the Council. I
Exeter. received the writ for providing a ship of 720 tons for this county, which by your instructions of the 1st December was apportioned at 9,000*l.*, whereof the city of Exeter and the corporate towns should bear 1,280*l.*, and the county the remaining 7,720*l.* At a general meeting of the mayors it was agreed that the several proportions assigned by the Lords to the towns severally should stand. For my own particular charge I have, in accordance with your commands, herewith sent you an accompt of my proceedings, together with a book of the rates of the several parishes confirmed, and have according to my best endeavours proceeded to the collection thereof. With much ado I have collected and returned to Sir William Russell 2,060*l.* 17*s.* 7*d.*, payable 9th March, and 1,242*l.* 19*s.* 1*d.* on the 23rd of the same month. Albeit I have made return of this great sum, I thought fit to acquaint you that some hundreds and parishes do yet stand out and refuse to pay, concerning which I shall use my best endeavours, and when that can do no good I shall acquaint you therewith. I have also sent to each mayor a particular letter to hasten their respective payments according to your last letters. [*Seal with crest and arms, broken.*]

Feb. 29. 51. Sir Guy Palmes and W. Robinson to the Commissioners for
Ashwell. Saltpetre and Gunpowder. In obedience to your letters of the 19th January we called Mr. Pinckney, the saltpetremen, and [Richard] Woulfe, late alderman of Stamford, before us, when the former avowed the contents of the petition, and the latter confidently denied them. But Pinckney having brought no witnesses to prove the same, alleged he could not spare his men from their work to come to prove it, but earnestly desired us to make an end between them, so Woulfe gave him satisfaction to his own contentment, which we gave way to, provided you thought fit to allow the same. As concerning his dovecot, he promised that the floor of the chamber

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therein should be pulled down, and the house so left that saltpetre may hereafter be got. All which we submit to your Lordships. [1 p.]

Feb. 29.
Brussels.

52. John Lanyon to Sec. Vane. After several disasters on the voyage I came to Brussels, and thence to Antwerp. I was then by Mr. Henchcombe, correspondent to Sir Job Harby, brought to several large quantities of arms mostly sent from Liege on purpose to be viewed. All these arms I find in some particulars to vary from those desired by you. The differences are here specified and explained. The saddles in these parts are generally well wrought, but made of russet dry leather, and the parcel required is undertaken to be made within six weeks. Represents the exceeding charges the writer had been at ever since his departure from London. [*Seal with crest.* 1½ p.]

Feb. 29.
Brussels.

53. The same to Sec. Windebank. To the same effect as the preceding. [1½ p.]

Feb. 29.

54. Petition of Thos Badger, printer, to Archbishop Laud. About two years since Thomas Purfoot, one of the ancient master printers in the decree, being advanced in years, desired petitioner, who from his infancy had been trained up in the art of printing, to assist in managing his trade, which being communicated to your Grace by petitioner's father, Richard Badger, you were pleased to appoint him to acquaint Sir John Lambe therewith, who directed petitioner to print as assignee to the said Thomas Purfoot. About Christmas last Purfoot having resigned all his right and interest to petitioner is lately deceased. Prays his Grace to grant consent that petitioner may be elected a master printer in the place of Purfoot. *Under-written,*

54. I. *If there be no inconvenience by doing what is here desired I shall not be against it; and therefore before I grant the petition I desire Sir John Lambe to consider well of it and give me an account.* W. Cant. 29th February 1639[-40. 1 p.]

Feb. 29.

55. Account of ship-money for 1639 levied and in the hands of the sheriffs. Total 3,907*l.*, making with the 1,622*l.* paid to the Treasurers of the Navy 5,529*l.* It is added that during this week 130*l.* was paid in upon writs of 1637, and 277*l.* upon writs of 1638, but none of the arrears for 1635 or 1636.

Feb. 29.

56. Certificate by Sir W. Russell and Henry Vane of ship-money paid in this week upon writs of 1639, 1638, and 1637, viz., 1,622*l.* 11*s.* 7*d.*, 277*l.* 9*s.* 7*d.*, and 130*l.* respectively. [1½ p.]

Feb. 29.

57. Depositions of Anthony Smith and George Grey, tenants to the Dean and Chapter of Durham, taken by Sec. Windebank. [5¼ pp.]

[*On the 11th March 1639-40 Walter Balcanqual, dean of Durham, complained of George Grey and Anthony Smith, two*

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of the tenants of the Dean and Chapter of Durham, for misdemeanours committed by them in getting divers of the tenants of the said Dean and Chapter to set their hands and seals to divers papers and petitions of complaint against the Dean and Chapter, their landlord, and to contribute money for prosecution of their complaints; and, as the dean did allege, they did not make known to the Dean and Chapter their grievances before they came up to complain.

The said Grey and Smith appearing before the Lords of the Council, acknowledged that what was alleged against them was true as to the subscribing petitions; but declared they had cause to complain against the Dean and Chapter, for that contrary to a decree entered in the court of York and elsewhere, in the time of Queen Elizabeth, which did contain their right in the renewing their leases, &c. Rushworth, iii., p. 1052.]

Feb. 29. 58. Bill and acquittance of John Tully, coachmaker, for 26*l.* received of Edward Nicholas for a coach. Besides this sum Nicholas paid 13*l.* for cloth and fringe, and 5*l.* for two horse harness, bits, &c., "so all appertaining to my coach and harness cost me 44*l.*" [$\frac{3}{4}$ p.]

[Feb.] 59. Petition of James Lord Walden to the King. That by conveyance made by petitioner's grandfather, Thomas, late Earl of Suffolk, upon great and valuable considerations, divers of his lands were estated upon petitioner's father, Theophilus, now Earl of Suffolk, for his life, the remainder to petitioner in tail, and the residue of the lands upon petitioner's father in tail, to which estate petitioner is heir-apparent. That divers other honours, manors, and lands of great value descended to petitioner in fee-simple as heir to his mother, who was daughter and one of the coheirs of the late Earl of Dunbar. That Sir Edmund Sawyer and others procured of petitioner's father fines and other conveyances, not only of lands which he had in tail, but also of some of the lands which he had only for life, to sell the same for payment of certain debts wherein they were then engaged for petitioner's father. Sir Edmund and others upon a petition to your Majesty, in the name of petitioner's father, therein undertaking that so much of the said lands so conveyed as should remain after those debts were paid would amount to a greater value than the lands whereof petitioner had the inheritance from his mother, and would be of more benefit and convenience for him, and that the same should not fail to be settled, your petitioner thereupon obtained one or more privy seals for him to convey these lands to them, which was done accordingly, with intention to satisfy those debts and engagements which lay upon the other lands, and to make provision for the younger children of petitioner's father, that so those lands formerly engaged might be settled upon petitioner free and clear from all encumbrances; and thereby they have not only sold most part of the inheritance

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descended to petitioner from his mother, which, though sold at a far under value, have yielded to them about 34,000*l.*, but also by the said privy seals have endeavoured to make good the former conveyance of the land, whereof petitioner's father had only an estate for life as aforesaid, and thereby raised above 14,000*l.* more; and also by colour thereof have taken upon them to sell divers of petitioner's lands not within the privy seals, whereof petitioner should have had possession and profits ever since the death of his mother, and yet have not estated upon him the other lands, nor discharged the debts, or raised provision for the younger children. On the contrary, Sir Edmund Sawyer, with William Allington and Robert Naper in March last petitioned your Majesty to have sold all or any the said lands, and since the two last named by agreement between them and Sir Edmund preferred a bill in Chancery against Sir Edmund and petitioner's father, Lawrence Whitaker, Marmaduke Moore, and others to enforce the sale thereof for payment of new and other debts, besides those for which the lands were first conveyed to be sold, and have felled woods and disparked parks, and threaten to fell the residue of the woods, and to deface and disfurnish the houses, and to obtain leases of the lands, whereof petitioner's father has only an estate for life, upon pretence that he has an estate without impeachment of waste, and has power to make leases. Petitioner's suit is that your Majesty, who best knows your royal intention in granting the privy seals, would upon hearing all parties make and settle such order in and concerning the premises for relief of petitioner as you shall find most agreeable to justice and equity and to your gracious intention therein. [$\frac{3}{4}$ p.]

[Feb. ?]

60. Petition of Richard Forster, citizen and vintner of London, to the Council. In the new buildings to be erected in Southampton Garden, next Chancery Lane, the same being 80 houses, there being but one house for a tavern, petitioner in January last, at a fine of 103*l.* and 70*l.* rent, took the same for 21 years, and bestowed great charges in fitting the house, besides 400*l.* for furnishing and storing. Upon information that there are five taverns already in Chancery Lane, and that petitioner's house, which is fit for the reception of a person of quality, would lay open to disorderly persons the privacy of Lincoln's Inn Garden, and be a great annoyance to that society, and to persons of quality next thereto, petitioner's house was ordered to be suppressed from being a tavern. The intended tavern lies in the most convenient place for sale of wines to the inhabitants, and cannot interfere with the taverns in Chancery Lane, or with Lincoln's Inn. Appeals to a certificate of good behaviour, and prays to be suffered to proceed in the contemplated employment of his house. [$\frac{2}{3}$ p.]

Feb.

Warrant under the Signet to George Kirk, gentleman of his Majesty's Wardrobe, to pay to the tradesmen and artificers belonging to his Majesty's robes 2,423*l.* 13*s.* 8 $\frac{1}{2}$ *d.* for wares delivered and work done for the half year ended Lady-day, 1637. [*Docquet.*]

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Feb. The like, to pay 1,883*l.* 0*s.* 7*d.* for the like work and service for the half year ended at Michaelmas, 1637. [*Docquet*]

Feb. Warrant to the Chancellor of the Duchy of Lancaster to compound for disafforesting all lands of the King's manors within the hundred and forest of Peake, co. Derby. [*Docquet.*]

[Feb. ?] 61. Petition of Capt. Henry Bell, prisoner in the Gatehouse, Westminster, to the Council. Petitioner, in the depth of his present misery, receives some comfort in that he assuredly knows God has endowed your Lordships' hearts with true godliness, and given you ears that are willingly open to hear the just cries and complaints of the poor oppressed. Petitioner is content to suffer the cruelest death if he makes it not appear to your Lordships that in every particular he is guiltless of all the crimes wherewith he is charged. In commiseration of his seven years' imprisonment, through which his health and strength are much decayed, prays the Lords would be pleased but only to hear him speak, or else to order such an end to his business as shall be found agreeable to justice. [$\frac{3}{4}$ p.]

[Feb. ?] 62. Petition of the same to the same. Whereas his Majesty has lately given directions to Sec. Vane to despatch petitioner's business depending at the Council Board, which cannot be done until his return, petitioner knows not what shift to make until the Secretary's return, being utterly destitute of means. Letters of Privy Seal remain in Sir Robert Pye's office for payment of 550*l.* to petitioner, disbursed by him for the King's special use and service, of which sum he has received 420*l.* during his imprisonment, leaving still unpaid 130*l.* Prays the Lords to recommend his suit to the Lord Treasurer, for order to pay the said 130*l.*, or else that they would be pleased to commit him to prison again as before, his cause as yet not being heard, until Mr. Secretary's return, and petitioner's business be despatched according to his Majesty's directions. [$\frac{3}{4}$ p.]

[Feb. ?] 63. Petition of George Durant, clerk, vicar of Blockley, co. Worcester, to Archbishop Laud, of Canterbury. Petitioner having lately entered as surety for his natural brother to one Woodward, the latter, upon the bond becoming forfeited, prosecuted petitioner in the Marches of Wales [Court] upon the penalty of the bond, but never troubled the principal for the same. Because the court could not hold plea for all the penalty, therefore the judges there directed that there should be two several judgments, and thereupon granted out of that court a sequestration against petitioner, directed to the sheriff to sequester all the tithes of the spiritual means of petitioner. Thereupon the sheriff made a special warrant to some of Woodward's friends as bailiffs to execute the same, who, out of malice, rode through Blockley on a Sunday morning, in time of divine service, and at the close of the service read their warrant in the church, forbidding the parishioners to pay any tithes to petitioner. All which, petitioner is advised, is in evasion of the ecclesiastical and common law of this realm. Prays the Archbishop to direct the

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King's advocate to prosecute the offenders therein in the Court of High Commission. [1 p.]

[Feb. ?]
Gracechurch
Street.

64. Edward Bolde to Sec. Vane. Had not a little mischance befallen me, I had not thus long neglected to wait on you. By these I will only let you know that the Covenanters have one George Wachop come with letters, who is, after their first speech with his Majesty, to return with order to Scotland what the country shall do. He came post, and has challenged me for speaking against the Scots' proceedings; he has also written to Scotland of it, and letters are come from thence to divers Covenanters and intelligencers here, which I have seen, that if I turn not my tongue and speak well of their actions it shall cost me my life. This confirms my assertion, that the north part of this kingdom is too well affected to their proceedings, who tell them what is spoken in his Majesty's favour. It were good to attend Wachop's departure and try for the men who told him what I said, and see his letters; I know his lodging. The Scots' commissioners have a prefixed time to stay here for his Majesty's answer, in which if they get it not, they will slip away. I can hardly find in all this country six men together, but two or three incline to the Scots' cause; therefore some speedy remedy should be taken to give the whole kingdom true information. If his Majesty get not contentment of his subjects here in Parliament, then were it necessary to let the Scots rise in arms, who will invade. This may be done by sending ships to the Forth. When the last Scotch army should have trained before his Majesty, it was rumoured among them, his Majesty was to have 6,000 men to go for the Palatinate, whereupon every man ran home; so it is vain to think his Majesty will get these men to go upon foreign service; only commanders will. I pray you remember my own business. If in his Majesty's service under you I may have any place for employment suitable to the way wherein I have been bred, Sir William Bellasis knows my ability, and, God willing, my actions shall be just. This I wish to know shortly, before I engage myself in the way of merchandise. [*Seal with devise, broken.* 1 p.]

[Feb.]

65. Sir James Douglas to Sec. Windebank. Prays Windebank to inform the King that he has made ready in Berwick some quantity of limestones, intending the same for his own use, but finding that for his Majesty's works about Berwick there is need of such materials, he has most willingly offered the same to his Majesty's officers there for that use, at as easy a rate as any such things can be had there or elsewhere; nevertheless, these officers, not contented herewith, will needs bring other townsmen to work at their pleasure in his grounds, and thereby to possess themselves, as it were, with a right to the same to his great prejudice. He therefore entreats Mr. Secretary to move the King to give order to these officers to forbear putting men into his grounds, he furnishing the service at as cheap a rate as they will or can do, as he did the last year furnish for the same works before the King came to Berwick, when those

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who are now so forward only for his vexation could not do it.
[$\frac{1}{2}$ p.]

Feb.

66. Indenture made between Sir William Uvedale, Treasurer at Wars, on the behalf of his Majesty, on the one part, and Sir Nicholas Byron on the other part. By which Sir Nicholas, having received by way of imprest 960*l.* for providing and furnishing 64 horse for the service of his Majesty's garrison at the Castle of Carlisle, agrees with Sir William Uvedale to provide at his own proper costs and charges 64 horse able to serve in the wars, the same to be in readiness, together with horsemen well furnished, expert, and able to manage the said horses according to the discipline of war, at such day and place as his Majesty shall appoint. Nevertheless, it is intended that all armour required for these 64 horsemen shall be furnished to Sir Nicholas at his Majesty's charges. Sir Nicholas further covenants with Sir William that he will faithfully serve his Majesty during the time of this his employment there with the said number of horse, and will maintain that number complete and fit for that service. For the repayment of the 960*l.* advanced by the King for the present accommodation of this service, Sir Nicholas agrees that, out of the entertainment to be allowed by the King to him as captain of this troop of horse, his Majesty may defalk 12*s.* a day, and 3*d.* a day out of the wages or pay to be allowed to each soldier of his troop, these deductions to be continued until the 960*l.* shall be fully repaid to his Majesty. [*Draft.* 3 pp.]

Feb.

67. Memorial of such things as concern the garrison of Berwick requiring to be resolved. That a perfect list or establishment of the forces appointed for the garrison of Berwick may be settled and signed by his Majesty. [*Margin*: Granted.] That a sufficient supply of money may be seasonably advanced to the paymaster of the garrison, as well for payment of the forces in garrison, now consisting of 1,300 foot and four troops of horse, which amounts to 2,565*l.* monthly, as for defraying the charges of fortifications and other emergent occasions which may happen there. [*Margin*: To Payler.] That if Captain Lloyd, the engineer, be absent from the garrison, that then some other skilful person may be nominated and timely provided for carrying on the works. [*Margin*: Lloyd is to find another for that entertainment, he being sent from the King to execute that place in his absence.] That all such lands, houses, fishings, and other privileges which heretofore belonged to the government of that garrison, and were given for the better maintenance thereof, may now be restored. That the Lord Treasurer will be pleased to treat with the Lord-General concerning the return of his moneys in the north country. [1 p.]

[Feb. ?]

68. Considerations concerning the Castle of Dumbarton in Scotland, which commands a sea town and the two rivers Clyde and Leven. That the castle, having a store of ammunition, will require to be furnished with more men and victuals. The place will commodiously contain 200 men, and a less number will not warrant it

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if an army should come before it, and in the meantime these men would keep their ill neighbours in some obedience, or do them harm as they shall see their occasion. It has now in it between 55 and 60 men; the rest must be supplied, as also victuals, arms, and clothes, the place being extremely cold. The last advertisement from thence desired more match, for these long nights the sentinels consume much, to prevent which, for the future 40 or 50 muskets with fire-locks would be of good use. If more men be sent, one is desired to be a gunner. There may be sent along with the men in the ship some deal boards, nails, and handmills. Lastly, there must be a settled provision for the payment of these men, or else little good can be expected from the common soldiers. These things being done in time, and with secrecy, may prevent the retaking of the castle, which in all likelihood, if things go ill, will be attempted. [1 p.]

Feb. 69. Docquets of the several grants of offices in the Royal Mint, extending from May 1596 to Feb. 1639-40, extracted from the Signet docquet books. [2½ pp.]

Feb. 70. Order made by the Lord Treasurer for the postponement of the hearing of the difference between the Surveyor-General of Customs and the merchants and seamen of Hull and Newcastle, appointed to be heard at the first sitting of the Board in February 1639-40. [Draft. ½ p.]

Feb. 71. Articles objected by the Commissioners for Causes Ecclesiastical against Richard Walker, clerk, charging him with schismatical preaching, thereby to bring his auditories into dislike with the present government of the Church of England. That on Friday the 7th of February he, preaching at St. Leonard's, Eastcheap, London, for Mr. Roburrow, did set forth the signs of decay of religion amongst us, contrasting the pitiable condition of England, where the light is hindered with fogs and mists of Pelagianism and other heresies, with the blessed condition of New England, where the truth breaks forth and shines. [2½ pp.]

Feb. 72. Thos. Alderne, sheriff of co. Hereford, to the Council. Having received the King's writ for levying 3,500*l.* ship-money, with your directions I proceeded at once to put the same in execution, but find the inhabitants of most parishes refuse to join with the constables in making the assessments; whereupon I endeavoured to procure the making of the same by the petty constables of each parish, assisted by the chief constables of the hundred, but this also has taken small effect. I have precepted the chief and petty constables to attach such of the petty constables as stand out in contempt and to bring them before me, to undergo such commands as I am required in your directions to lay upon them. I also required the chief constables to inform themselves of the estate of all persons in every parish within their respective hundreds, and to make the required assessments, which they have very readily performed, and I have

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returned the same with warrants to levy the money. No part, however, has as yet been received, the inhabitants returning answer that they have neither money nor means to raise money by reason of the low prices of corn and cattle; wherefore I have directed my warrants to distrain and sell their goods according to your commands, and expect the return thereof by the 25th inst. [*Endorsed as received on 1st March. 1 p.*]

[Feb. ?]

73. A list of pay for an army consisting of 6,600 horse, to be distributed into 11 regiments, 1,000 dragoons in ten companies, and 14,400 foot in 12 regiments to be 1,200 in ten companies. The pay estimated by the month, the half being deducted from that of the Commander-in-Chief and others, amounts to a total of 45,480*l.* 8*s.* 7*d.*, besides the pay of the train of artillery, 1,788*l.* 12*s.* 6*d.*, making in all 47,269*l.* 1*s.* 1*d.* *Endorsed*, "An establishment drawn up according to his Excellency's establishment, deducting half pay, 1639." [*1½ p.*]

[Feb.]

74. Similar list of pay, but estimated without deduction, and by the day as well as the month. Total, including train of artillery, 47,628*l.* 2*s.* 6*d.* per mensem. *Endorsed*, "Second establishment." [*1 p.*]

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1639-40.

Mar. 1.

Court at
Whitehall.

1. Sec. Windebank to Patrick Ruthven, Lord Ettrick, Governor of Edinburgh Castle. Since the despatch of his Majesty's letters to you of the 26th Feb. the bearer, Mr. Wm. Roberts, was commanded to attend the receiving of the 500*l.* he now brings to you, and this has been the cause of his longer stay here than was expected. This 500*l.* is not for satisfaction of any arrears due to yourself and other officers there, but for present payment of the soldiers and other pressing occasions. The arrears, beginning from the time you entered into the castle, will be allowed out of a greater sum, shortly to be transmitted, but which could not safely be committed to one man, considering the times and the hazard of the passage. Care shall be taken to keep you supplied with money. Understanding that there are certain rents and yearly perquisites belonging to the castle his Majesty desires to know their true value, and though, considering you as a person of extreme merit, he is contented that you should enjoy the same over and above the 40 marks Scottish by the day, it is not his intention that this his bounty should be drawn into precedent by your successors in that charge. P.S.—His Majesty has commanded me to let you know that such packets as shall come from you superscribed with your name and dated shall be expedited in the post as if superscribed by the Earl of Traquair, or the Principal Secretary for Scotland, and you are therefore to address them accordingly. [*Draft. 1 p.*]

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Mar. 1.

2. Wm. Roberts to Sec. Windebank. Whereas his Majesty's letters of the 26th Feb. signified that I had then my despatch, I pray you let Lord Ettrick understand that I was immediately after commanded to attend the receiving of 500*l.*, together with his Majesty's further commands. I pray you also to intimate to him that his Majesty is pleased to give him, Mr. Scrymsoure, Capt. Ruthven, and Wm. Roberts, as arrears of pay, all that should have been paid them from 31st July to this day, excepting to Captain Scrymsoure from the 31st December, according to the rates expressed in his letters of the 26th Feb. Lastly, I beseech you to state whether the 500*l.* be in part payment of the said arrears or to disburse for his Majesty's service. [1 *p.*]

Mar. 1.

3. Minute of warrant to release James Wilford from the Gatehouse prison. [3 *lines.*]

Mar. 1.

Another copy of minute. [See Vol. ccxcii., p. 114.]

Mar. 1.
Office of
Ordnance.

4. Certificate from the officers of the Ordnance what gunpowder was remaining in his Majesty's stores on the 1st Feb. last, with the amounts since brought in and issued by way of sale or otherwise, respectively. Total remaining in store at the Tower and at Portsmouth, 271 lasts 23 cwts. 39 lbs. [= 2 *pp.*]

Mar. 1.
Grafton.

5. Thos. Cooke to Richard Harvey, at Mr. Porter's house in the Strand. You shall receive by Mr. Cornelius a present of poultry sent by Lady [Crane, of Stoke Park], which I desire you to present to Mr. and Mrs. Endymion Porter with her best respects. [Seal with design. $\frac{3}{4}$ *p.*]

Mar. 2.
Edinburgh
Castle.

6. Patrick Lord Ettrick to the King. The wall of the outer work on the south side of the castle fell on the 25th February, likewise the wall of the north-east side of the outer work on the last of February, built by the Covenanters this year. These are to petition your Majesty to give strict command under highest pain to your master mason to take speedy course for redressing the work, to provide workmen and all other necessaries. I pray take into consideration the plot of this castle with the outer fortification I sent by my secretary, which I believe is more regular and formal than it is presently; also to signify what your pleasure is concerning this. The little money I had for providing your castle I am forced to pay away to the Scotch soldiers. The Earl of Traquair has left warrant here to his under receiver to give me, according to your commands, money weekly for payment of the soldiers, [but] I can have none that way, [for] they will answer none of his warrants. Your Majesty will be pleased to give order for sending money here the most convenient way you may think fit; also a post warrant to all postmasters in Scotland and inland to bring my letters safe and speedily to your hands. Pardon my not answering your last letters, for I have been ever expecting your further directions by my secretary, whom I long for, hoping to receive them by him. For anything

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I can learn your Majesty may expect no settling of peace in this country. You know best, and what it pleases you to command me shall be punctually obeyed. *Endorsed by Sec. Windebank, "Delivered to me on the 8th."* [Seal with crest and arms. 1 p.]

Mar. 2.
Whitehall.

7. Notes by Nicholas of the proceedings this day at the Council of War. Ordered that the Earl of Newport take order that a complete proportion of arms, whereof two parts to be muskets and a third pikes, be timely delivered at Berwick to the 400 foot which are ordered to be forthwith raised for reinforcing the garrison there; also that he cause to be provided colours for the four companies of foot suitable to the colours which the companies belonging to the garrison already have, the same to be sent together with drums, partisans, and all other things necessary. Ordered that the Earl of Newport cause to be delivered at York, arms complete for the four troops of carabineers, consisting of 60 horse apiece, raised for reinforcing the garrison at Berwick, and that as many of the said troopers or their officers as shall desire to have saddles and furniture should have the same, paying ready money for what they receive. [1 p.]

Mar. 2.
Whitehall.

The like. This day Sir William Brouncker and others of the captains appointed for reinforcing the garrison at Berwick desired that they might have pay for themselves and their officers from the date of their commissions, which was refused, and order given that they shall not enter into pay till they mustered 40 horse in each troop. Resolved that all the officers of the four companies of foot to be levied for reinforcing of Berwick, from the captain to the drummer included, shall receive pay from the date of their commissions, and to be hastened away with all speed. [Written on the same paper as Feb. 22. See Vol. cccclvi., No. 6 ½ p.]

Mar. 2.

8. Thos. Alderne, sheriff of co. Hereford, to the Council. In my certificate of February [see Vol. cccclvi., No. 72] I intimated that the constables were to appear with the ship-money collected on 25th Feb., who accordingly came, but with a mind rather to retard than by their endeavours to further the service. I find that the constables of divers hundreds contemptuously refuse either to appear or assess according to my precepts; many also refuse to distrain and sell goods, while others return the menacings and threatenings of the persons assessed. With much care and diligence I have levied about 100*l.*, and have since renewed my warrants according to your commands, the return whereof I have appointed for the 25th of this month, our assizes being so near. [Seal with arms. ¾ p.]

Mar. 2.
Oxford.

9. Sir Nathaniel Brent to Archbishop Laud. According to your command I have acquainted the fellows of Merton College with the particular informations enclosed in your last of the 28th Feb. I find that Mr. Corbet tendered himself to answer in divinity at the beginning of Michaelmas term last, but no man would appear to

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oppose. At the end of the term disputations were performed, and at the beginning of this term, and will be, I suppose, likewise at the end. If they be kept twice every term I believe it is as much as your Grace will enjoin, there being but five to uphold that exercise. Mr. Knightley's lecture has not been read because nobody is willing to read it, nor, indeed, any well able for it but Mr. Corbet; neither has any man received any part of the stipend all this while. Some of the debts due to the two chests have been demanded, and I suppose will be paid ere long, but some others are desperate. I will not fail to incite *custodes cistarum* to do their best for the speedy recovery of these debts. Mr. Corbet protests that he ever did and ever will bow at the name of Jesus. I have often seen him do it, and so have divers of the fellows, as they say; yet sometimes his mind may be otherwise busied, as he saith, and so he may not perform that due reverence which he is always most willing to do. This is his own answer. Mr. Newman was absent three months and more for his preferment in the country, and by public leave of the college, which I suppose you do not hold to be unlawful. Mr. Clarke denies that he has entertained any bachelors in his chamber. I know not how to disprove him, because the informers do not name the parties entertained, nor the time, which they ought to have done. Mr. Hinton has left [Merton] College, and I have not as yet spoken with Mr. Reynolds, the chaplain. A book of statutes was mislaid about Christmas, but has been found. I cannot find that the prayers have been curtailed for a long time, except on Christmas-day last, when the Litany was omitted at the request of Mr. Nevill, who said his sermon would be very long, though indeed he preached not at all, but Mr. Burton for him. The college evidences have been placed in several boxes, ever since my memory; only Mr. Subwarden says that Mr. Simonson, when he left to be subwarden, gave divers evidences to him, being his successor, which he brought into the Exchequer, and does not know now where they are. He and I will seriously think of it. I cannot conceive any man to be so abominably wicked as to steal evidences which can do him no good. I do not know but that some of the junior masters may be faulty in not coming to the beginning of prayers, especially of those which are very early in the morning. I have given them an admonition, and if your Grace's injunctions shall hereafter set any punishment it shall be duly inflicted. I cannot possibly find that the postmasters are faulty in not speaking Latin, and most of them are very well able to do it. Howsoever, I have given them an admonition to be careful herein, and exhorted the principal to look narrowly to them. There has been no book for wood sales, because no money has been received for wood since the order made, but the subwarden, who is registrar by his place, has promised to provide one. Alban Hall commoners have lodged in the college these 50 years, of my knowledge, and I do not remember that you have as yet interdicted them. I do not know that any of them are refractory to the ceremonies of the Church. Howsoever, I will desire the principal to look to them, because I have not any authority over them myself. Mr. Newman's

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postmaster protests that he ever did and ever will bow at the blessed name of Jesus, and that he always did so when he was at school in the country; neither can I find the contrary by any testimony. Morning prayers, I conceive, are frequented as well with us as in any other college, yet some are faulty now and then, who have not been punished as yet, because no punishment is set for that fault. It is not well done of the informers, under your favour, to say that I knew that Mr. Edward Nevil was desperately in debt, and so occasioned the loss of 60*l.* to the college. I call God to witness that I did not know it, and all the five seniors voted for him. How can I live quietly with men who will swear what my intentions and secret thoughts were, and will inform what my knowledge is, and all contrary to truth? It is true that Sir James Leviston has of late got too much acquaintance in the university, but it is with gentlemen of good rank, and some of them his betters by far. This has occasioned him to neglect his book too much, and to haunt the town more than is fit a great deal, but I do not find that he has lost any civility at all, and believe that no gentleman in the university has a more civil and gentle behaviour than he. The remonstrances of myself and his tutor, and our recommendations to his mother to remove him in case he change not his course, have made him a new man of late. P.S.—I conceive the Lady Sidley has no cause to complain of us. We have been careful to find out land to buy with her 500*l.*, and will receive it as soon as she pleases to pay it. [3 *pp.*]

Mar. 2.
Mincing Lane,
London.

10. Officers of the Navy to Sir Wm. Beecher, clerk of the Council. We have received certificate that there are 300 oak trees marked for the King's service in the parish of West Bradingham, co. Norfolk, containing about 200 loads, which timber is immediately to be converted and carried to the water-side at Lynn, to be transported to Chatham. We pray you to procure letters from the Lords to the justices of peace in co. Norfolk to assist the purveyor, and provide land carriage at accustomed rates. [$\frac{2}{3}$ *p.*]

Mar. 2.

11. Receipt given on the part of the Government to John Herne, of Lincoln's Inn, for certain specified papers which, as counsel for the tenants of the Dean and Chapter of Durham, he held in his hands; the same appearing upon examinations taken by the King's special command of George Grey and Anthony Smith to relate to a petition subscribed by divers of the said tenants. [$\frac{1}{2}$ *p.* *Draft corrected by Sec. Windebank.*]

Mar. 2.

12. An accompt of imprest money paid by Sir John Heydon for arms, munition, &c., being part of the 5,000*l.* received upon the land service; total, 4,497*l.* 13*s.*, leaving 502*l.* 7*s.* [$\frac{1}{2}$ *p.*]

Mar. 2.

13. Note by Capt. Legg of the price of arms sold for the King's advantage the last year. [$\frac{2}{3}$ *p.*]

Mar. 2.

Westover. 14. John Ashburnham to [Nicholas]. I perceive you have had some discourse with Lord Goring concerning the place of provider,

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wherein you both have been careful of my interest, for which I thank you. Why the Lord-General should desire the King might be moved in it I cannot understand, since the pains required for the honest execution of the place ought rather to persuade him to invite any man to accept of it, than that it would become any man to make a suit of it to the King to have it. In that and in all other things I submit myself to be wholly disposed of by you. Since my coming down I have had conference with Mr. Tutt and Mr. Green about the farm of Long-parish, which I expect to obtain. Conditions of purchase. I am much ashamed of John Packer's dishonouring the memory of our dear master by his unworthy behaviour at this time, where he had so fair an occasion to have done him right, but it is impossible to make a base heart noble. I pray you give my brother, who has gone post to London, the best advice you can how to comport himself to the General, that he may gain him as a friend. If Sir Robert Pye has had the canvass for the burgess' place of Westminster, I am glad my landlord has not failed of the fine holland instead of his blue apron. Expressions of gratitude. [1 p.]

Mar. 2.
Edinburgh.

15. Alexander Erskine to his wife. Remonstrates with her for entertaining such harsh opinion of him who had always loved her. You say in your letter that it is my kindred and country people who have scandalously wronged you, and would scandalise God himself if he were on earth. Considering this I pray you attach no credence to whatsoever their malice may spurt against me. I entreat you let Capt. Hyham make all possible haste over with his company and if there be possibility send one other company with him, and as many thereafter as you may. As for my business there are 200 men, as I wrote in my last, who will be gone when wind and weather shall serve, which have crossed them this long time, to the utter undoing of the gentleman who is captain. As for Mr. Mowbray you must know that he is not only the chief plotter, inventor, and spreader abroad of all these base calumnies, but he did also, like a fool, vent before his going home, to one whom he thought had not been my friend, that he had taken notes of all words spoken by me in Scotland, and that he would construct and relate them to the Marquis of Hamilton, and so kipper me at the King's hands, that I should have no more pension. This was told me lately by one that will justify it to his face, and many other things that concern you as well as me, so you may think of him accordingly, for I shall find my time. Sir Thos. Dishington will find a carrier for the tablets and powder. I shall present your love to my Lady Rothes. I have no knowledge either of the ring or the picture you wrote about. Be wise and suffer not yourself to be led astray by those who hunt after our disgrace. P.S.—Within 14 days you will hear something which will please you, but as yet I neither must nor can write it. [Seal broken. 3 pp.]

Mar. 2.

Commissioners for Saltpetre and Gunpowder to Samuel Cordwell his Majesty's gunpowder-maker, or to Mr. Blythe. Warrant to view

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the parcel of about 12 or 13 tons of foreign saltpetre in the hands of George Fletcher, merchant, and certify us the quality and quantity thereof. [*Copy. See Vol. ccxcii., p. 115. ½ p.*]

Mar. 2.

Commissioners for Saltpetre and Gunpowder to Sir Charles Harbord, his Majesty's Surveyor-General. There was, about three years since, 2,000*l.* imprested to Samuel Cordwell for erecting of mills, millponds, and other works and buildings for making gunpowder about Chilworth, co. Surrey, for his Majesty's service; these are to require you to view during this vacation all the said works and buildings, and certify us how much you conceive to have been expended on the same, and what the lands, ponds, and waters there used for these works may be reasonably worth, to be bought after the expiration of the lease already taken for the King's use. [*Copy. Ibid. ½ p.*]

Mar. 3.

Declaration under the Privy Seal that no writs or other process shall be issued and directed to the sheriffs out of the Exchequer for receiving and levying of any his Majesty's revenues concerning Recusants, unless desired by the Receivers. [*Docquet.*]

Mar. 3.
Westminster.

Letters Patent confirming by *inspeximus* a license granted by Archbishop Laud for Sir Edward Littleton, Chief Justice of Common Pleas, to eat flesh in Lent, any statutes or proclamations to the contrary notwithstanding. [*See Case E., No. 21. Latin. Parchment. 14 lines.*] *Annexed,*

I. *License granted by Archbishop Laud to Sir Edward Littleton, permitting him, together with his wife and ten other persons to be by him chosen, to eat flesh at his table in Lent and other days prohibited, during his life, but soberly and frugally, so as to avoid public scandal; with proviso that these letters of license shall not be available except they be confirmed by the King's letters patent. 26th Feb. 1639. [Ibid. Latin. Parchment. 15 lines.]*

Mar. 3.
Westminster.

16. The King to Sir Henry Garway, Lord Mayor of London. Warrant to press within the city 200 able men for the wars, and to deliver them at the Tower Wharf before the 12th inst.; the ordering and disposing of the men to be arranged according to directions sent from the Lords. [*Copy. ¾ p.*]

Mar. 3.

17. Another copy of the same. [*¾ p.*]

Mar. 3.

18. The speech made to the King by Lord Loudoun in the name of the Scotch Commissioners sent from the Parliament of Scotland. [*2¾ pp. Printed in Rushworth, Hist. Col. iii., p. 994-997.*]

Mar. 3.

19. Notes taken by Sec. Windebank at the interview of the Commissioners, sent from the Parliament of Scotland, with the King at Whitehall on the 3rd March, the Earl of Traquair and a Committee of the Privy Council being present. [*1½ p. These were the original notes jotted down on the occasion, but objected to by the Scotch Commissioners at their next interview on the 9th March.*]

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Another version of these notes, fuller in some particulars, will be found printed in Rushworth iii. p. 993.]

Mar. 3.
Whitehall.

20. Order of Council. Resolved that all the horse to be raised, as well those for the garrisons at Berwick and Carlisle as those for his Majesty's army, shall be mustered by appointment from the Lord-General at their first rendezvous, and two certificates of the number so mustered returned, the one to the Lord-General and the other to the Treasurer-at-Wars, that they may enter into the King's pay so soon as it appears by the certificates that 40 horse or more were mustered. It was likewise ordered that there shall be advanced by warrant from the Lord-General to the captains of the troops requiring it, one month's pay for so many of the officers and troopers as shall be certified to be mustered as aforesaid, to bear their charges to their rendezvous at York or Berwick. [*Draft. $\frac{3}{4}$ p.*]

Mar. 3.
Whitehall.

Minutes by Nicholas of the proceedings of the Council of War this day. Ordered that a warrant shall be given by the Lord-General to Sir William Uvedale, Treasurer-at-Wars, to pay to Capt. William Legg, master of the armoury, 200*l.* for removal of all the arms for horse from Hull to York. Whereas by the list of entertainments there are allowed to every company of foot two drummers, it was this day resolved that one of these to be appointed by the colonel of every regiment shall be drum-major, and shall have 6*d.* per diem more. Ordered that it should be left to every captain to press his own drummers by order and warrant from the Lord-General if they cannot otherwise furnish themselves with volunteers. [*Written on the same paper as Feb. 22. See Vol. cccclvi., No. 6. $\frac{1}{2}$ p.*]

Mar. 3.

21. Contract tendered by Sir Wm. Russell and Sir Job Harby. Whereas we have been informed that [Robert] Blake has made a proposition that if his Majesty shall account it a good service to be furnished with all the saltpetre that shall be made where the Emperor of Morocco commands, if neither the former nor latter traders into Barbary will undertake the same, that then his Majesty's letters to that Emperor were desired signifying that as his Majesty had dispensed with his artificers to provide for that Emperor's service as many birding pieces as they could conveniently make, so his Majesty desired that that Emperor would cause his saltpetre works to be employed to make as great a quantity as they could, which Mr. Blake has order to contract for at the rate of 45*s.* per cwt., to be delivered aboard in the river of Saffi, to be paid for in the same road with such commodities at the usual rates as his Majesty's dominions will afford and his occasions permit. We whose names are hereunder written do undertake, so far forth as it may be accompted a good service to his Majesty, to furnish the Emperor of Morocco with as many commodities in the road of Saffi as shall satisfy for the saltpetre, not exceeding 100 tons, at the rate of 45*s.*

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per cwt., unrefined, the saltpetre to be delivered by us to his Majesty's use at the same rate, payment being made upon delivery. [*Copy. Unsigned.* $\frac{3}{4}$ p.]

Mar. 3.
Edinburgh.

22. James Broun to Thos. Waad. The castle walls on the south and north have fallen down of their own accord the last week. The Earl of Angus has subscribed the great covenant, and protests that he will maintain it to his end. I have sent you an information to look on at your leisure and to make such use of as you may think best. [*Seal broken.* $\frac{2}{3}$ p.]

Mar. 3. 22a. See "Returns of the Justices of Peace."

Mar. 3.

23. Certificate by Sir Henry Marten, Judge of the Admiralty, to the Council. Upon examination of the petitioner [Francis Tenant] and his witnesses, I find that the annexed petition [*see Vol. ccccxiv., No. 83*], so far as concerns the ship and goods seized by the Dantzicers about 12 years ago, is true. Since your reference of this petition to me, the petitioner arrested a ship of Dantzic in the river Thames upon a civil action, supposing her to belong to the Dantzicers who had taken his ship, but the master of the vessel making proof that the owners of that ship were not the men against whom petitioner commenced his suit, he, at the instance of the English merchants trading to Dantzic, released her, although it was by them acknowledged that petitioner had received much wrong from the Dantzicers. Petitioner chose rather to be relieved in such honourable way as your Lordships shall think expedient than to bring the above-mentioned merchants into danger of seizure of their goods at Dantzic, or hazard the event of a long suit. *Underwritten,*

23. 1. *The Lords, upon reading this certificate and that of Sir Thos. Roe, late ambassador to Sigismund, King of Poland, thought fit that Sec. Windebank be prayed to acquaint his Majesty therewith, and to understand his directions. Whitehall, 4th March 1639[-40].*

Mar. 4.
Queen Street.

24. Algernon Earl of Northumberland to Sir John Pennington. I formerly wrote to you to stay the Bonaventure till the coming down of a vessel to be convoyed to Dunkirk; the same being now ready, you are to require the captain of the Bonaventure to convoy her thither, and so proceed to the performance of his former instructions concerning the Spanish ambassador. [*Admiralty seal impressed.* $\frac{2}{3}$ p.]

Mar. 4.
Berwick.

25. Capt. Charles Lloyd to Sec. Windebank. In my last I certified you of the true state of the town. The weather continues so bad that I am idle; only the smiths and carpenters, the first fair day, will finish the small breastwork round the town. I waited on Sir Michael Ernle at Norham, which place I viewed before, and which requires a small garrison of 50 men and those dragoons. The place being vast and most ruined would require 3,000*l.* for

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absolute repair, but there is an inner place which could be made defensible for 300*l.* or 400*l.* in the summer. I have agreed with Mr. Goodman for draining the water from the hills, which formerly broke the stone wall between the bridge and the Newgate, for 20*l.* I formerly wrote to you, desiring to rent a house called the comptroller's house, now in the possession of an ale-wife, having no stowage for my materials. [1 p.]

Mar. 4.
Berwick.

26. Sir Michael Ernele to Sec. Windebank. I was last week with Capt. Lloyd at Norham Castle, and what he conceives fittest to be done there, he will give you particular account. It is reported at Edinburgh that his Majesty intends to block them up, both by sea and land, to hinder all commerce and trading, and that the lords whom they have sent to his Majesty will return without any satisfaction. They have lately published a little book, wherein they declare that at the camp, when the King was here, all things were agreed upon, and that all conditions were performed on their parts, and that they gave great satisfaction to all the nobility that were then here with his Majesty; that since the Earl of Traquair would never give them other answer, since his being commissioner there, but the King will have it thus. These and divers other things they allege in this pamphlet, which they spread as much as they can, and no doubt amongst Puritanical people may do some hurt to his Majesty's service. Capt. Tillier and Mr. Payler are coming to London, who will inform you of all things concerning this garrison. [*Seal broken.* 1 p.]

Mar. 4.
Whitburn.

27. [Thomas] Triplet to Archbishop Laud. After thanking you for taking this care of us, that these seditious neighbours of ours may be quelled a little in the beginning of the faction, before it spread to a covenant, or before it grow like their town, which was yesterday but as Elijah's cloud of a span long, but now swells big into a mayor and corporation, I desire to give you a little more satisfaction in the business, and first of Lilburne the great factotum of Sunderland, that rules both the religion and wealth of the town. In a letter which I received the other day from Dr. Duncan I had the following passage, which will help to establish my single report concerning the condition of the man:—"A good jest of Mr. Johnson's Lilburne: he was telling lately his story at Darnton [Darrington?] of the quarrel between him and Mr. Basier; and a minister, my neighbour, stroke against him, and disputed for the Blessed Virgin, and among other arguments urged the Magnificat, 'All generations shall call me blessed.' Lilburne replied just like an *ignaro*, a[dding], 'Prove it out of Scripture, or you say noth[ing].' The priest laughed at him and his horrible ignorance, and told him the Magnificat was in St. Luke, which was great news to Lilburne. I am sure of the truth of this incredible passage." Now, I so far agree with the doctor that it is ignorance in Lilburne, but yet not pure and simple, but litigious and affected. This wretched kind of people, my lord, are so infatuated with their rancour against the Liturgy, that whatsoever Scripture is in it, *eo ipso*, by being there

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merely, becomes apocrypha to them, like the seaman's needle that loses its virtue when it is touched with the south pole of the loadstone. I say it could not be pure ignorance in Lilburne; for after that, Lilburne was in the High Commission for saying all such as used to give thanks in particular for the Blessed Virgin, did it with a purpose to bring in popery. Mr. Johnson, his parson, chose that text in the Magnificat to confute that senseless opinion, which these of Sunderland have got out of Peter Martyr in English (scarce three Puritans, beside Peter Martyr, of all that have written holding it), viz., equality of glory in the saints. For these wretches stick not to say the[y are] not, each of them in particular, but by their abundant faith to be as glorious as the Blessed Virgin herself. And hence follows another gadfly of theirs, that eggs them on and makes them so ambitious of their pseudo-martyrdom as they are; for they are confidently persuaded that every petty libelling knave amongst them shall have as big a crown for the loss of one drop of blood which the hangman sheds for their sedition, as any of the glorious martyrs and confessors that we meet with in the church story. An ill precedent, too, has this Lilburne given, as they say, in murmuring against the ship-money and suffering a d[istrain] before he would pay it. I say an ill precedent to the simplicity of obedience in these parts, that, before Lilburne grew great, knew not what it was to confront royal authority. I confess it is an honour to the [king]dom to have such towns as Sunderland was, to come up and flourish from small beginnings. But as [these] unhappy times are, I am put in mind of what the Roman history reports of Cato major, who in all business proposed in the senate, delivering his opinion, [said], I think thus and thus, and still of his own accord added, I think Carthage ought to go down. So I think, under your Grace's correction, that the King's Majesty had better for awhile despise that honour and profit that accrues to him that way, if these things be not exactly looked into, than to suffer little towns to grow big and anti-monarchy to boot; for where are all these pestilent nests of Puritans hatched, but in corporations, where they swarm and breed like hornets in [a dead] horse's head. There is one pestilent fellow besides these, that the messenger carries with him, that I cannot yet prove [anything] directly against, besides his zealous letters of counsel written to Mr. Johnson, the parson, when Lilburne was put in the High Commission; his name [is] Husband, the elder, for there are two of that name. But by [his conversation] this fellow has done much mischief in the town, having been among all the Puritans beyond sea. This man is a great associate of this George Stephenson's, and if he be suffered, it [will soon be a] proverb that Sunderland is Husbandied as Newcastle Jenisionied. To make the conspiracy a little more appear to your Grace, you shall [understand that] Justice Cottrell, the mayor, who grinds with all winds, [offered] to take my information upon oath, and now I have discovered the plot. [This town] was not quite free from the sickness, so neither of us thinking it fit for me [to go to him] he came over the water to me. I offered to be sworn for the King to my in[for-

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mation, but he refused to take my] oath, though I told him I had a Testament in my pocket, as I had, and took it under my hand only. I asked him the reason. He told me that he was to go to the sessions, and though he himself feared no danger, yet it might scandalise them, to come from giving an oath to one who dwelt in a town infected; whereto Mr. Hicks, the vicar of Monkwearmouth, who was by, replied, "Is it not more danger to take a paper from him than to give him an oath, you or your clerk writing his examination?" whereto he could say little, but put it off foolishly, saying in his ridiculous way of expression which he uses, "I will calcine the paper." So the plot appears thus. He takes the information thus, and being not deposed to, never offers to show it in public sessions, but, by Lilburne's device and his, they show it privately to my lord after the rising from the sessions, and have an *ambuscado* of Lilburne's friends in readiness to inform my lord, as they had, that the information was not upon oath, that Stephenson was a good religious man, &c.; and so, to say the truth, my Lord of Durham was abused in the business, as the King, and myself most of all, that was made both a slanderer and a liar. But now it appears plainly that it is most true of the mayor of Sunderland what I certified your Grace of in my former letter, viz., that by the mayor of Sunderland's means Lilburne and his man in their journey from Alnwick had intelligence of the business, which made them ride back and tamper with Morrell as they did; for thus it was, when Mr. Johnson, as I desired him, did by letter warn the mayor to proceed as a justice of peace and as the King's good subject ought to do in the business, he was so far from going to work with that advice and wariness as he ought to have done for discovering the business, that he reads the letter aloud among the company that he was in when the letter came; in which company there was one Paul, who is employed here by the customers; and this Paul it was that sends the notice of the business to Lilburne by the way, and to make the conspiracy the more notable this letter from Paul came to Lilburne without a name. Lilburne has reported this himself, and I hear it from Mr. Hicks that heard Lilburne speak it. I am sorry that I knew not this before, that the messenger might have had but one labour. Surely his Majesty has a notable servant of Paul, that being in Sunderland of purpose to do the King service, should be an eminent conspirator in the business. He knew he did a thing that he ought not to have done, as he is cunning enough, otherwise why set he not his hand to it? The reason of the late great league and necessitude between Paul and Lilburne, they two having been deadly enemies not long since, I take to be this. These under-publicans, placed in these maritime towns by the customers, having no great allowance, it may be 100 marks or 100*l.* per annum, live notwithstanding at great rates and drink sack, to maintain which they must, and I believe do, practise much indirectness. Such fellows as Lilburne, who have all the great doings, that have ships, &c., in order that they

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themselves may be connived at by these mercenary sub-customers, go a share with them in transporting firkins of butter and such non-licensed commodities. For, my lord, let it be considered, how should such a fellow coming from nothing, who for poverty in his first beginning was [driven to] the miserable necessity of stealing a horse, for which he was or was to [have been punished], how is it conceivable that he should come to be worth a matter of ten thou[sand] pounds in this beg[garly] country, and such a mean town as that was, when he first began? This is an ordinary course between these customers and the townsmen, as the narratives (here given) of a bark cast away and a storehouse burnt with butter ready for transportation show. I'll undertake, if these two accidents had fallen out against any prosecutor of Puritans, as they fell out against one that abused the King, the Puritans would have reckoned it as a terrible judgment, and Burton would have made a divine tragedy of it. It was put to this Baggs afterwards by a friend of mine as a case of conscience for abusing his Majesty thus. His answer was that he intended not to transport this butter, but to make his market of it among the great navies that were last year riding in the Downs; a likely tale that a man should go from hence and so far about with ill and dear butter, when the plentiful county of Kent was so near to furnish them much cheaper and better; nay, the Kentish men who come in by sea hither will not eat a bit of our northern butter, accounting it in comparison of their own a very noious and rancid thing, as indeed for the most part it is. It seems good butter is so scarce a commodity with us, that my lord of Falkland protested last year that though he had been three weeks in the country or above before he came to my house, yet he had not tasted anything like good butter till he came to our quarter. Besides, my lord, this Paul came at first into his office with much pretended integrity, whereupon [this pi]ous Lilburne, at whom Paul would not connive, because perhaps not sufficiently tempted, was presently in his [sulks], and they had a great ruffle. But when it seems Paul saw that integrity in Sunderland was but a [losing] trade, he began to imitate the burgher's dog of Hamburg. This dog had often brought home his master's basket of meat from the butcher's safe, defending it and himself stoutly from other invading and essaying dogs, but being once waylaid, set upon, and mastered by an extraordinary band of stout curs, they fell aboard presently with his meat; he thought it best not to lose all, and so came in for a share, and fell to eating with them. I will not say as the old doctor after a long simile in his sermon, when he came to apply it: Even so, beloved, or rather far otherwise; but even so, my lord, and no otherwise do I take Paul's case to be. Now, my lord, seeing I have trespassed thus far upon your patience in matters concerning others, I will beg leave for conclusion to say a word for myself. I am, as I ever was since I knew anything, [down-]right for the King and the Church. I have ever expressed myself sufficiently that way; and it would better [appear] in me, if the times were as I hope they shall never be, when Puritanism should

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be the way to rise, [for your] Grace remembers such times, when except yourself, my ever honoured dead lord, and it may be [two or thre]e more in the whole university, there was scarce any durst show themselves for the Church, [so great was] the power of prevailing Puritans. I profess seriously that if I may have protection and encouragement, and any reasonable power authorising me so to do, I will have such an eye about my quarter, and so unkennel the covenanting seditious cubs, that not a man of them shall be earthed about me. There came a mendicant preacher about three weeks ago, who got leave to preach at Monkwearmouth, both forenoon and afternoon. To him amain came the Sunderland Puritans like rats over the water, Lilburne and Stephenson, Husband and Humble, and all the pack, forsaking Mr. Johnson, a honester man and a better preacher. These cry him up for a rare and powerful man. I, hearing of this fellow and inquiring after him, learn that his name is Bancks, and that he dwells at Alnwick. The curate of Alnwick was first my curate, and professes kindness and love to me, having been a little piece of the means of his fortune; and though his father is, and his grandfather was, an eager Puritan, yet he makes me believe he is right himself. I ask him of this fellow. He gives him pretty good commendations, that he is a poor man and wants a place, and his preaching neither factious nor seditious. "Say you so," quoth I; "I'll try that presently. I have a chapel of ease now that wants a curate, the place worth some 20 marks a year, more than I have myself from that chapelry; offer him that." He did so, and his choice of another which he could have helped him to at the same time. But this runagate peremptorily denies both, and had rather, it seems, go abroad seeking out knots of Puritans, and be a preacher at large, receiving present pay, than, to the greater credit of the clergy and his own greater honesty, confine himself to a certain cure, and, as this country goes, an honest salary. Whereupon I wrote to Mr. Levir, the curate of Alnwick, and among other things I had this passage concerning the powerful man, "Commend me to Mr. Bancks, and tell him that he had best keep within his bancks, for if I catch him in these parts again, with his seditious, begging, running, canting preachments, I'll have him laid by the heels for a vagrant," of which passage I have yet no answer. If I have any that is considerable I shall acquaint your Grace by the next. P.S.—Since the writing of this letter I hear of two other passages; one that the pursuivant can tell your Grace, how this knave Stephenson denied his name to him, calling himself Nicholson, under which name he ran away and made an escape till he was retried again. If this Puritan makes no bones to lie so manifestly, denying his name, sure he will deny the treasonable words. The other passage is of one Craig, the King's footman, who, if he be examined, can make a notable certificate of Lilburne having spoken in his hearing, and Craig himself the reporter of it, little less than treasonable words, when this Craig came down hither about the river of Sunderland. Dated March 4th, 1639. *Endorsed by Laud*, "Received

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March 10, 1639-40. Mr. Triplet." [*Much damaged by rats. 2½ pp.*]
Enclosed,

27. I. *The charge preferred against George Stephenson, servant to G. Lilburne, of Sunderland, attested by T. T[riplet].*
 [½ p.]

Mar. 5.
 Scadbury.

28. Sir Thos. Walsingham and Sir Thos. Pope Blount. Your letter directed to the justices of peace at Eltham, Kent, requiring us to take some legal course to lay an assessment upon the estate of Wm. Stoddard, Esq., now prisoner in the Fleet, for the necessary relief of his sisters, that they may not be a parish charge, has been considered by us, being the next justices, but we have not as yet proceeded to cause an assessment to be made, for the reasons stated. 5th March 1639. [1 p.]

Mar. 5.

29. Petition of Robert Sumner, priest and prebendary of the cathedral church of Peterborough, to Archbishop Laud, showing that the Dean and Chapter, having several benefices in their gift, advowsons of some of them have been granted to some of the prebendaries, and one of Northborough, in Northamptonshire, to Dr. Pocklington, which, being now vacant, the Doctor has procured your Grace's letters to the Bishop, that institution might be given him upon the advowson; that this advowson was granted in the late dean's time; that the now dean and greater part of the prebendaries, as petitioner hopes, will present him; that those who enjoyed the benefit of advowsons heretofore, were such as had the benefits fall in the time of the dean who granted them; that if institution should be granted upon this advowson, others who have the like granted in the former dean's time will expect the same benefit; that this rectory of Northborough is not better by 20*l.* a year than that which Dr. Pocklington should leave. Ever since his being prebendary, petitioner has been resident, solely attending upon the service of the church, and has a great charge, and no other spiritual living or better hopes. Petitioner prays your Grace to take these particulars into your consideration, and to signify your disengagement of the said Bishop in the premises, that he may have liberty to institute such clerk as his lordship in equity and conscience shall think fit. *Underwritten,*

29. I. *I desire Sir John Lambe to speak with Dr. Pocklington concerning this business, and in regard he is to leave a living within 20*l.* as good as this, and that the petitioner has taken great pains in the church, it were good that some fair end were made of it to his content, which I should be glad to hear.* W. CANT. 5th March 1639[-40].

Mar. 5.
 Queen Street.

30. Thos. Smith to [Sir John Pennington]. I perceive you are not well pleased that my letters for release of your good [sea]men are so frequent as of late they have been. I would not offend you by any means, yet I am importuned by such friends as I cannot deny, though you may, and not displease me at all; nevertheless, I thank you for what you have done. The time draws nigh that we

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shall be happy in the sight of you, which I long for. News we have here in abundance, which you shall receive in this enclosed paper. You may communicate the same to whom you please; but not a word from whom you have it, for words now are wrested according to the gall of some who lie in wait to ensnare men, though never so well meaning. I have just come from the Lord Admiral, who has given me order to let you know that these seven ships, being part of the next year's fleet, viz., Garland, Antelope, Mary Rose, Providence, 8th Whelp, Greyhound, and Roebuck, are to be in readiness to go forth to sea by the 1st of April at the furthest, and it will be necessary that the Greyhound be sent in to be graved, &c. You are therefore to give order that the said pinnace be forthwith sent into Chatham, in place of which the Nicodemus is ordered to attend you. My brother, who has the honour to be with you, writes in behalf of Mr. Johnson, an officer in your ship, who desires to have the command of one of the smaller vessels. I nominated this man to the Lord Admiral, who answered that if you would recommend him for this service he would put him into that vessel. Yesterday my lord signed a warrant to you to send away the Bonaventure to fetch the Spanish ambassador, and withal to convoy the vessel which will bring you that warrant from Dover; between you and me it carries powder to Dunkirk, but no man must know the same, and therefore no words but "Mum." Those captains who go with the seven ships are as follows: Fog, Stradling, Price, Hill, Woolward, Wheeler, and Rockwell. Whither they go we know not, but think for Scotland, against the people of which country we make as much preparation and as speedy as if we were to eat them up, but I fear the worst. Mr. Digby, who goes captain of a troop in this business, being now with me, desires to be remembered to you. I think I shall stay behind to wait on the marine affairs, for which I am the less sorry, because I shall by that means have the more opportunity to salute you often and serve you here. [*Endorsed in Pennington's hand, "From Mr. Smith, the 5th March 1639-[40]."*] Encloses,

30. i. *A relation of news from court. Mr. Bagshaw, reader, of the Middle Temple, read but one week, being commanded by the Lord Keeper to surcease. He read upon the statute 25 Edward III., touching the plenarty of benefices:—1st. That an Act of Parliament might be made without bishops. 2nd. That no man in orders can be a justice of peace. 3rd. That no sentence in the High Commission, wherein the cause is not expressed, can be valid in law. Mr. Ludlow, reader, of the Inner Temple, read but one week, likewise by reason, as some say, of his extreme poverty.*

Lord Chief Justice Littleton was sworn a Privy Councillor upon Friday last. Letters have been sent from the Board to all officers and judges, excepting Judge Croke, to know what money they will lend the King, and some of them have appeared and promised good sums, but many dispute the business and will not lend, whereof Mr. John

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Packer is one of note. The Parliament writs to the nobility are gone forth to all excepting the Lords Say, Brook and Mandeville. The Lord Lieutenant of Ireland, Strafford, goes hence to-morrow, making all the haste he can, in regard their Parliament begins on the 18th inst. We have the sad news that Mr. Essex Devereux, son of Walter, of Worcestershire, with divers other gentlemen of note, were drowned while passing a small river in that shire, about 12 p.m. Yesterday the Scotch commissioners were heard before the King and the Cabinet Council, and behaved themselves very discreetly. When the King spake they gave reverend audience, but when any of the Lords spake they gave them hearing too, but never replied one word to them, but directed their answer to the King. The archbishop took occasion to say that he had heard that there was one called the Sheriff of Teviotdale [Sir Wm. Douglas] that had wished himself at Jerusalem, or banished to any place, so that the King were in Edinburgh to receive plenary satisfaction from his people there, both in the justness of their cause and the readiness of that nation to submit to all his Majesty's reasonable demands. The Sheriff being by, replied to his Majesty that he was the man, and was there ready to justify that he spake those words, and would maintain them with his life. What proceeded further we know not.

The city have chosen their burgesses, Aldermen [Sir Thos.] Soam for one and [Isaac] Pennington, lately sheriff, for another; I know not the rest. The electors of Westminster have chosen theirs in great confusion, Mr. [John] Glyn and Mr. [William] Bell, but it is thought that the last will hardly stand. This 5th of March the Lord Lieutenant [Strafford] went out of town for Ireland, and intends to be here again at the beginning of the ensuing Parliament. [Endorsed by Sir John Pennington, 5th March 1639[-40]. 2 pp.]

Mar. 5. 31. Note of Pells Issue Rolls for certain terms specified during the reigns of James I. and Charles I., described as "unwritten." [These are still wanting on the Rolls, with the exception of the first two. $\frac{3}{4}$ p.]

Mar. 5. 32. Bond of Anthony Allen, of Newcastle-upon-Tyne, in 100l., for his attendance before the Council until licensed to depart. [Latin and English. $\frac{1}{2}$ p.]

[Mar. 6.] 33. A relation of some passages of the reading of Mr. [Edward] Bagshaw, Reader of the Middle Temple, in Lent vacation. Mr. Bagshaw, a man religious and honest, made choice for his subject of the statute 25 Edw. III. c. 7. He began his reading on Monday, the 24th February, but before he made his divisions he told the gentlemen attending his lectures that he once intended to have read upon

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Prohibition, but he found that too sharp a subject to deal withal; yet, nevertheless, if he could conveniently accomplish his task in hand, perhaps, in the end, he would give a touch upon that also. He told them that he intended to observe a rule out of Tacitus,—not to follow the truth too near lest it should dash out his teeth, nor yet to follow it too far a distance lest he lost it; and therefore he would keep himself in an equal distance, neither to offend nor to be offended. He then divided his matter into 10 parts, according to his 10 days' reading, and every day's labour into 10 several cases; with these, however, I will not trouble you, saving such as are become the common discourse about town, and these I will express briefly and truly. He put a case whether or no it be a good Act of Parliament which is made without assent of the Lords Spiritual, and he held affirmatively and proved it by the arguments herein stated. The second case was this:—If any beneficed clerk were capable of temporal jurisdiction at the time of the making of that law. He held the negative point, and proved it by the arguments here stated. The third case was this:—Whether a bishop without calling assigned have power as diocesan to convict a heretic. He maintained he could not. His reason was that, albeit, by the bloody statute 2 Henry IV., some supposed that grounds may be raised for maintenance of that authority, yet it is not so full, and besides, which is the main reason, the Commons did not consent to the making of that law, for he searched the records and found that Act only passed the consent of the Lords Spiritual and Temporal, but the Commons are never mentioned in it. Some other matters he handled in point of law. If he had gone forward he would have delivered his opinion both of the High Commission and Prohibition, as mentioned, but he was commanded silence; and within two days after he repaired to the Lord Keeper to know the cause, and carried with him the head of his argument, which the Lord Keeper said was good law, but not seasonably delivered, and told him that as he was prohibited by the King from reading, so he must be set at liberty again by his Majesty, and advised him to move the Archbishop of Canterbury for his proceeding. After that Mr. Bagshaw had been twice at Lambeth without admittance; the third time he spoke with the Archbishop there, who told him that he had fallen upon an unfit subject and an unseasonable time, and that it would stick closer to him than he was aware of. He answered he had not done it out of any evil intention, neither had he taken his resolution of a late time, but that above two years ago, when he knew that he must now perform the exercise, he then made choice of that statute; and that until within this twelve months he never heard of any opposition made against the prelacy, and thinking that the same which was moved against them in another kingdom nothing concerned those, therefore he conceived no offence would have been taken by it; and for him to have altered the frame of his reading, especially before this time, he should have disappointed the house [Middle Temple], wronged himself in his study, profession, and practice, in regard that he should not have been able in so short a time to have performed so great a task as

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that was. The Archbishop answered that perhaps it had been better he had given it over quite at first, than to suffer that by it which he was like to do. Then Mr. Bagshaw replied that the same which he had [delivered] was good law, and he was able to maintain it, and he would stand by it, and hoped that he need not fear any man's power in regard that his cause was lawful and warrantable, but he humbly desired his Majesty's leave to finish what he had begun; he was answered that his Majesty had otherwise resolved. The reader went out of town on Friday, the 6th March, accompanied by 40 or 50 horsemen in very good credit and applause of the house [Middle Temple] of which he is a member. After his return from London to Banbury, in Oxfordshire, of which town he is recorder, he was chosen a burgess for the Parliament. [*An abstract of Mr. Bagshaw's case, as here argued, is printed in Rushworth, Col. iii., 990. 3½ pp.*]

Mar. 6.

34. Petition of Chief Justice Littleton and the rest of the Justices of the Common Pleas to the King. That in the fourth year of your Majesty's reign the Commissioners for Examination of Fees required the then judges of that court to certify the fees due to them, which they performed accordingly, both for their own and their clerks' fees, whereof a true copy is annexed. The commissioners not having declared any exception to these fees, they have ever since been paid to petitioners and their predecessors. Pray your Majesty to ratify and confirm the same by Privy Seal. *Underwritten,*

34. I. *Reference to the Lords Keeper, Treasurer, Privy Seal, Lord Cottington, and the two Secretaries of State, who are to call before them the commissioners, to be informed whether the fees in the schedule annexed are fit to be ratified as desired, and then to certify their opinions to his Majesty. Hampton Court, 6th March 1639[-40]. [1 p.] Annexed,*

34. II. *Schedule of fees payable to the Lord Chief Justice and other the justices of the Court of Common Pleas at Westminster. Endorsed, Desire to be referred to the Lord Keeper and Lord Privy Seal for the settling of fees of court. [5½ pp.]*

Mar. 6.

35. Note by Thos. Meautys, Clerk of the Council, of business undespached this day. The Lord Mayor and sheriffs to give an accompt of ship-money on Sunday next. Newfoundland fishing upon the complaint of the merchants of the western ports. The Corporation of Starch-makers. The Association of the Herring-fishing upon the petition of the Lord Chamberlain and the rest of that body. All these his Majesty has appointed to hear himself, but no day set, save only for the first. Counsel on both sides have attended several days according to former appointment. In an order lately made concerning the tin farm it was resolved that the importation of that commodity from foreign parts, either wrought or unwrought, should be prohibited by proclamations, as likewise the using of any

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measures for retailing wine, beer, ale, &c., other than such as are made of pewter, capable of a stamp, and sealed according to statute. Directions are already given to the Attorney-General to prepare proclamations to be published in England and Ireland, but for Scotland it was respited until upon conference with the Lord Treasurer and others of the Privy Council of that kingdom, now here, his Majesty and the Board should give further order. [1 p.]

Mar. 6. 36. List of the King's servants to be warned to be at the Council Board on Friday in the afternoon, dated March 4, but endorsed March 6. [1½ p.]

Mar. 6. 37. Similar list of the King's servants, with the amount each is required to contribute to the loan. In the margin are notes of their replies. Those in this paper now absent to be sent for against Wednesday. [1 p.]

Mar. 6. 38. William Roberts to Sec. Windebank. I am safely arrived in Berwick and hope to be in Edinburgh this night. I should have given you all the intelligence I could gather here, had I not met by the way, betwixt Durham and Darlington, Captain Ridpeth, whom the Earl of Ettrick had sent post with letters to the King; also Captain Tillier and Mr. Payler, paymaster of Berwick, who went this morning from hence post towards London, and who doubtless can acquaint you with all occurrences in these parts. I shall be careful to show my duty in this kind on every fit occasion, with a most hearty desire to do his Majesty all faithful service. [*Seal with crest and arms.* 1 p.]

Mar. 6. 39. John Innes to the same. I have many times written to you of my miserable estate, being committed by your warrant, to my utter ruin, the death of my wife, and overthrow of all my family. I wish you had given order with your warrant that my head had been struck off, or I hanged; then I had been at rest, but now I am murdered in prison. I am sure his Majesty desires no such cruelty to any, much less to one who has done what I have in his service, and which is well known to his Majesty, having been certified by his Council in Scotland, and by some here, amongst these by the Marquis of Huntley. I entreat you with all speed to take this into your consideration. [1 p.]

Mar. 6. 40. Archbishop Laud to Sir Thos. Roe. I received yours of Lambeth. Feb. $\frac{3}{13}$ with a copy of one to you from Dr. Earnstius. For him let it fare as it will; for your business there it must fare as it may. Service you have done, and very good with the King of Denmark, but as for that for which you were principally sent I never thought from the beginning that any good would come of it. In a disguise and for a delay it began, and I never expected better issue than it has brought forth. For yourself I have prevailed with his Majesty for your present return, and both the Secretaries have promised to send this day and recall you. I pray make as much convenient haste as

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you [can, which I think is an easy suit to you. The truth is I heartily wish you here, and though you cannot come time enough to be of the House, the writs being sent out for the 13th of April, yet I persuade myself you may in your way do some good for his Majesty's service, to whom you are much beholding. So haste away hither, and God's protection guide you. P.S.—I pray remember my thanks to your lady for her frequent remembrance of me by your pen; I fear she will not die of grief for sorrow of your return. [*Seal with arms.* 1 p.]

Mar. 6.
London.

41. Algernon Earl of Northumberland, Lord-General and Lord Admiral of England, [to Sir Thos. Roe]. In return for yours of the 3rd Feb., I can now send you the welcome news of his Majesty's pleasure for your present repair into England, for which Mr. Treasurer has received order to give you notice. By this resolution I receive much contentment, assuring myself that it will be pleasing to you and very grateful to all your friends. We are here beginning our levies; I have already given out commissions for the raising of 2,000 horse, that are commanded to be in Northumberland by the middle of April. The petitioners or, as some call them, Commissioners sent from Scotland have several times been admitted to his Majesty's presence, but I see little hopes of accommodation without blows, for though they make show of great humility and obedience, yet do they justify and maintain their former proceedings. If in this Parliament the people acquit themselves as becomes dutiful and loyal subjects, all may do well; but, if otherwise, the events are likely to prove unhappy. I have according to your desire provided well for Capt. Minne, having made him lieutenant-colonel to Vavasor, and shall with the like readiness serve you on all occasions. 2 pp.]

Mar. 6.
Drury Lane.

42. Sec. Windebank to the same. You have great reason to press for your revocation, when you have leisure to dispute with yourself whether idleness or business be the greater pain, with which problematic question your letters of the 28th January begin. Your letters came very opportunely to give me occasion at the Foreign Committee to represent your condition, which Archbishop Laud having seconded, his Majesty thereupon took a resolution to give you leave to return, and commanded Sec. Vane and myself to make it known to you. Having his Majesty's license you may now take your leave of those there [at Hamburgh] whom you shall think fit and come away, leaving Mr. Avery there in the same capacity he held before your arrival. If necessary you may have the King's letters of revocation, which I conceive must have been sent if your residence and negotiations had been with any prince or state; but in the condition you now are I think the signification of the King's pleasure in this manner is sufficient. [*Copy in Read's hand.* 1½ p.]

Mar. 6.
Knowle.

43. Sir John Sackville to Sir Henry Vane, Treasurer of the Household. Mr. Bowles, your chaplain, brought me your commands touching your standing to be knight of the shire [for Kent], and in

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obedience to them I have laboured since to do you service, and have procured for you most of the voices of this town and parish. I have my Lord of Dorset's bailiff and other agents working for you in the country. I am sorry I cannot wait on you in person, for first I have no voice in Kent, and besides I must be in Sussex at the election. [*Seal with crest.* 1 p.]

Mar. 6.
York.

44. Sir Lionel Maddison to Sir Henry Vane. I received your letter by Mr. Shafto, and have subscribed my part of the agreement, relying upon your noble intentions and the true meaning of all parties. I have a little business here this week at the sessions at York. The marriage was consummated on Thursday the 27th ult., unto which I beseech the Lord to grant his blessing, and to us all much joy and comfort in it. [*Seal with arms, broken.* $\frac{3}{4}$ p.]

Mar. 6.

45. Receipted bill of Humphrey Bradbourne for 4*l.* 5*s.* paid by Lord Conway for gloves, &c. [1 p.]

Mar. 6.

46. Examination of Francis Gray, clerk of the peace for co. Northampton, taken before the Attorney and Solicitor General this day. Touching a petition delivered to him at the sessions held at Kettering, 8th January last, by Richard Knighton and the rest of the grand jury [concerning ship-money], when the justices directed the same to be presently read in open court. He has delivered no copies of this petition except one to Sir Christopher Yelverton, sheriff of co. Northampton. [1 p.]

Mar. 6.

47. The like examination of Richard Knighton, of Irtlingborough, He acknowledges that he was foreman of the grand jury at the sessions held at Kettering for co. Northampton the 8th January last, and he and the rest of his fellow jurors agreed upon and framed this petition concerning ship-money, but who penned the same he knows not. [1 p.]

Mar. 7.

Grant of the office of Captain of Upnor Castle, Kent, to Thomas Osborne during good behaviour, upon surrender of the same by Sir Charles Howard, with a fee of 30*l.* per annum for himself, 16*d.* per diem for a master-gunner, 12*d.* per diem each to seven gunners, and 8*d.* each for 20 foot soldiers. [*Docquet.*]

Mar. 7.

Presentation of Thos. Twitty, clerk, to the vicarage of Enstone, Oxon., void and in his Majesty's gift by the minority of the Earl of Down, his Majesty's ward. [*Docquet.*]

Mar. 7.

48. Account of ship-money for 1639 levied and in the hands of the sheriffs. Total 5,907*l.*, making, with the 1,622*l.* paid to the Treasurers of the Navy, 7,529*l.* There had been paid in this week no ship-money for this present year, nor any arrears payable for any of the preceding years. The arrears at this period stood as follows: 1635, 4,536*l.*; 1636, 6,954*l.*; 1637, 16,872*l.*; 1638, 14,469*l.* [1 p.]

Mar. 7.
Tower Street.

49. The Treasurers of the Navy to Nicholas. That there has been no ship-money paid in this week, but the sheriffs of Devon and Hants

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have made up several sums of money to be paid here within 15 days, when we will make an orderly certificate. [$\frac{1}{3}$ p.]

Mar. 7.
Winterbourne
Earls.

50. John Nicholas to his brother, Edward Nicholas. Great need has driven me to write to you, entreating you to help me now at this time, this year being very hard and provision very dear; added to which, my wife and two of my children are very sick. My father and mother still continue their hard courses towards me. [*Endorsed by Nicholas*, "7th March 1638. Brother John to me." $\frac{2}{3}$ p.]

Mar. 7.
Berwick.

51. Sir Michael Ernle to [Sec. Windebank]. I have received your letter, by which I understand that this Stevenson and his master are sent for by a pursuivant. I have examined Morrell, who only confesses that Stevenson said that he thought it was not honestly done to serve against the Scots, for he believed the Scots were in the right. This Morrell has the report to be a very knave. You say you will come hither shortly, which I should be glad to see. [1 p.]

Mar. 8.
Whitehall.

52. Philip Earl of Pembroke and Montgomery, Lord Chamberlain, to John Earl of Rothes. Repudiates any complicity or allowance in the designs of the Scottish Covenanters undertaken by other arms than by petition and prayers to the King, as insinuated in Rothes' letter of 29th January before calendared [*see page 397*], to which this is the reply. I never found loyalty in your Covenant, or duty in your taking up arms. I never affirmed the justice of your cause, neither did I consider so much the merits thereof, as I did your unwarrantable and tumultuous disobedience therein unto your King, with the vexation and disturbance it brought upon the nobility of this kingdom. [*Printed in Rushworth's Collections iii. p. 984. Copy. Endorsed*, "For Sec. Windebank." $1\frac{1}{2}$ p.]

Mar. 8. 53. Another copy. [2 pp.]

Mar. 8. 54 and 55. Two more copies of the same, to which are prefixed copies of Rothes' letter of 29th January, calendared at p. 397.

Mar. 8. 56. Warrant signed by Henry Earl of Manchester, Lord Privy Seal, and Edward Earl of Dorset, requiring the attendance of John and Peter Cooper at the Council Board on the 26th inst. to answer for the great wrongs done to Benjamin Smith in detaining from him his late wife's portion, she being Anne, daughter of Christopher Cooper, to whom you were executors. [$\frac{1}{2}$ p.]

Mar. 8.
Berwick.

57. Sir Michael Ernle to Sec. Windebank. I have received no commands from you of late. Since Captain Tillard [Tillier] and Mr. Payler went hence, there has arrived at Leith from Holland a ship laden with arms, powder, and match, besides 8 or 10 pieces of cannon. The chief lords of the Covenant are summoned to be at Edinburgh to-morrow. I was informed that Stephen Boyde, a bailiff of Edinburgh, was sent to the Governor of the Castle in the

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name of all the magistrates, to desire they might raise a mound for securing a particular part of the town if occasion should happen, which he [the governor], as he had good reason, denied. I am credibly informed that they are levying men at Edinburgh, but what number I know not. Mr. Roberts when he went by this town desired me to forward you the enclosed. [*Endorsed by Windebank, "Received 12th, at 8 in the morning." 1 p.*]

Mar. 9. 58. Notes taken by Sec. Windebank at the interview of the Covenanted Commissioners from the Parliament of Scotland with the King [at Whitehall] this day. [*Another version of this interview, fuller in some particulars, will be found in Rushworth's Collections, iii., p. 997. 1½ p.*]

Mar. 9. 59. Notes by Nicholas of the proceedings at the Council of War
Whitehall. this day. Estimate by Captain William Legge, Master of his Majesty's Armoury, of the number of waggons required for transport of tents, viz., for 20 regiments 100 waggons, value 10*l.* each, so that the whole will amount to 1,000*l.* Resolved, that these be provided by the Office of the Ordnance at the King's charge, and that the 300 horses to draw them shall be taken up in the several counties as the last year. Resolved, that timely order be given to the counties for sending not only the 300 horses for carriage of the soldiers' tents, but also 1,100 more for the use of the train of artillery, together with carters, the King's allowance to be after the rate of 1*s.* for each horse and 8*d.* wages for each carter per diem. The Lord-General is desired to set down what provisions of victuals for the army are requisite to be provided, at what times and in what places, and to send a note thereof in writing to the Lord Treasurer and Lord Cottington, who are prayed to enter into contracts with fit persons for timely providing the same. Resolved, that Mr. Pinkney shall be commissary of the victuals, and to have 10*s.* per diem, and for his instructions is to attend the Lord-General. The Lord-General this day declared that he had appointed Sir John Fenwick to be Muster-Master-General of the Army, and that there is now every day occasion to employ him for mustering of the horse which are being raised, whereupon it was ordered that his lordship should be prayed to give order that the said muster-master enter into pay. Resolved, that all the troops of horse now raising for his Majesty's army shall receive their arms at Hull, and shall be quartered in the country thereabouts. Ordered, that none of the horse now raising shall be mustered within 30 miles of London to prevent borrowing of horses, and that as soon as there shall be either 60 cuirassiers or 40 carabineers of a troop mustered they shall enter into pay and instantly march towards Hull, there to receive their arms, and such of them as shall want saddles may there purchase the same out of the King's magazine. Ordered, that when a captain of a troop of cuirassiers shall muster 60 horse or upwards, and a captain of a troop of carabineers shall muster 40 horse or more, that then the captain shall receive half pay for

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himself and the six horses which he is allowed, and that all other officers and troopers mustered shall have full pay, but so soon as the captain shall muster his whole troop he shall receive his full pay. It is recommended to the Lord-General to set down in his orders to be published that it shall be death for any trooper or inferior officer to show at the musters a borrowed horse, and that if it be done with the privity or connivance of the captain, the latter to be cashiered and imprisoned. Resolved, that three of the four troops to be raised for Berwick shall receive their arms at Berwick, and that the fourth of those troops and the troop to be raised for Carlisle shall receive their arms at York. The Lord-General having this day declared that he doubted he should not find fit and able officers for so many as 30 regiments, the Lords thereupon entered into consideration that it would be fit to make each regiment 200 men apiece, more or less, and left it to the Lord-General to take the same into his consideration and to form the regiments accordingly, or as his lordship upon advice should think fit, and as he should herein resolve the Lords prayed him to give order to the auditor accordingly to make up the list of the entertainments. Resolved, that Captain William Legge shall have 1*l.* 10*s.* per diem for his entertainment as Lieutenant of the Ordnance for this present expedition. [3½ pp.]

Mar. 9.

60. Archbishop Laud to Sec. Windebank. The warden, fellows, and scholars of Wadham College, Oxford, having compounded with the Commissioners for disafforesting the manors or farms of Moor Hall, Montpelier *alias* Willingales, Shippon, Fryerning Hall, Ray, and the rectory of Hockley-on-the-Hill, with all other lands belonging to the college situate in Writtle, Chelmsford, Fryerning, Ingatestone, Hockley-on-the-Hill, or elsewhere within the county of Essex, in consideration of 240*l.* to be paid into the Exchequer, his Majesty is graciously pleased to remit the same. If you will speak with his Majesty therein he will give you directions in it, or accept of this my certificate to give your warrant to the Clerk of the Signet to prepare a bill for the King's signature for their discharge of the said 240*l.* [¾ p.]

Mar. 9.
Raby Castle.

61. William Conyers to Sec. Vane. Not long since I received by Mr. Richeson three letters written by your appointment, one from Mr. Henry Vane, another from Mr. Dingley, and the third from Mr. Cosens. The departure of Mr. Rogers hence is so sudden that I am not able at this instant to answer these letters, but hope within 20 days to give you a full answer to these and all other business here. Concerning the new pale you appointed me to make, it was finished before I received order from you to make it up with a dry edge and quickset. Desires instructions as to West Park. Concerning the valuing of the lands and leases you are about to purchase of Mr. Ewbanke I have already said something in my last letters. A variety of particulars about the management of the property. [2½ pp.]

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Mar. 9.
The Hague.

62. Sir John Conyers to [Sec. Windebank]. On the 6th of this present I received your two packets by Sir Nicholas Byron of the 18th and 21st February, together with his Majesty's most gracious and favourable letters in my behalf to the Queen of Bohemia, the Prince of Orange, and the States, for which I return most humble thanks, and thank you also for the pains you have taken. I have delivered those letters, and so are all the rest in behalf of those other noble gentlemen for whom his Majesty was pleased to write delivered, but I now perceive they will not be of any effect, for the Prince of Orange doth absolutely refuse to give leave to any, and, as he usually doth when he intends not to do a courtesy, he has referred the business to the States General, who, I am assured, will do nothing but by his advice. I hope we shall have answer this day or to-morrow, but whether they give us leave or not, I for my part do purpose, God willing, to take the first passage for England to attend his Majesty's commands there. If in the meantime they take my company from me, I shall think it well bestowed, since I lose it to do his Majesty service, and shall be sorry for nothing so much as that I have troubled his Royal Majesty and your honour and have lost so much time in that business, but I hope that henceforward by my diligence and faithful service to his Majesty to repair what hitherto has been wanting in me. [*Endorsed by Windebank*, "Sir John Conyers. Received by Mr. O'Neale. 21 our style." 1½ p.]

Mar. 9.
New College,
Oxford.

63. John Windebank to his cousin, Robert Read. My allowance is so very small that I cannot possibly bring the year about with it. My fees due for my exercise which I lately performed for master of arts stood me in about 30*l*. I know not how to discharge my tailor's bill in London unless you can procure it of my father. P.S.—This afternoon the whole university are assembled to elect our burgesses. I intend on Wednesday to acquaint my father with the proceedings. I hear already that the vice-chancellor has given order to the masters of arts to name my father [Sec. Windebank] burgess in the first place before Sir John Davers. [*Seal with arms. 2 pp.*]

Mar. 9.
Bristol.

64. George Knight, mayor, and others of Bristol to Nicholas. Since the receipt of the Lords' last letters mentioning an abatement of 160*l*. of the 800*l*. imposed on this city towards preparation of shipping, we have laid the assessment after the rate of 640*l*., and have proportioned the same upon every ward as indifferently as we could according to our instructions, and have appointed collectors. We hope to send up a good part of the whole assessment by the end of this month. We find the inhabitants more slow to contribute than formerly. We thank you for your care and pains in assisting us from time to time. [*Endorsed by Nicholas as received 15th March. Seal broken. 1 p.*]

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Mar. 9.
Stone.

65. George Carr to William Raylton, agent to the Lord Lieutenant of Ireland. I am directed by Sir George Wentworth to desire you to send over for Ireland [Rudd] the drum-major he spoke to you of; his name and address you may obtain from Mr. Henry Wentworth, the Earl of Cleveland's brother. As the drum-major will enter into pay upon his arrival in Ireland, Sir George desires his immediate departure hence, that so he may arrive there before the Lord [Lieutenant's] return from thence. [*Seal with arms, broken.* 1 p.]

Mar. 9.
Bristol.

66. John Chambers to Richard Harvey, servant to Endymion Porter. My brother-in-law, Henry Weston, desires you would take sufficient security for that money which upon accout shall appear to be due to you. The securities offered are here named. I pray you do my brother all the kindness you may herein; it tends much to the settling of his estate; and let me entreat you to send us a present answer. [1 p.]

Mar. 9.

66. Affidavit of Henry Ludlow. That on the 17th February last, after this deponent had procured the Council order dated 5th February, made between Edmund Ludlow, Esq., this deponent, and his six brothers and sisters, concerning their maintenance and portions, he went to his brother's lodging on the back-side of Drury Lane, but not finding him there he left a copy of the said order with his brother's agent, Mr. Gyles, who refused to deliver it, and so deponent, accompanied by Richard Tommes, took a journey to Coker, in Somersetshire, where he left another copy at his brother Edmund's dwelling-house. [*Attested copy.* 1 p.]

Mar. 9.

67. Affidavit of Richard Tommes to the same effect as the preceding. [*Attested copy.* 1 p.]

Mar. 9.

68. See "Returns made by Justices of Peace."

Mar. 10.

Presentation of Michael Hudson, clerk, to St. John's Hospital, near Lutterworth, co. Leicester, and diocese of Lincoln, void, and in his Majesty's gift *pleno jure*. [*Docquet.*]

Mar. 10.

Privilege granted to Robert Chiver, gent., for 14 years for the sole practice of a new way by him invented for improving and manuring of land, rendering to the King one moiety of the clear profit, with proviso, that if found inconvenient his Majesty or the Council may determine the same. [*Docquet*]

Mar. 10.

License for Edmund Brudenell, Esq., to travel with two servants for three years. [*Docquet.*]

Mar. 10.

Warrant for repayment of 2,000*l.*, lent by Sir Charles Caesar for his Majesty's present supply, out of the fines for compositions for alienations, payable in the year ending 13th February 1642-3, with interest at the rate of 8*l.* per cent. per annum. [*Docquet.*]

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Mar. 10. Letter to Henry Earl of Worcester, dispensing with his absence at the next session of Parliament. [*Docquet.*]

Mar. 10. Warrant to the treasurer of the chamber to pay to Bartholomew Dixon, groom of the privy buckhounds, *vice* Ralph Reade, deceased, the wage of 13*d.* per diem quarterly, and 20*s.* per annum for his winter livery during life. [*Docquet.*]

Mar. 10. The like to the master of the great wardrobe for a livery of 3*l.* 16*s.* per annum for Bartholomew Dixon. [*Docquet.*]

Mar. 10. 69. The King to Patrick Lord Ettrick. We have understood by your letters of the 2nd present the unhappy accident of the fall of the two walls on the south and north-east sides of the outer works of the castle of Edinburgh, and according to your desire we have by our special letters which go herewith given strict command to our master-mason there to take speedy course for reparation of the same. We have likewise directed our letters to the Provost and Bailies of Edinburgh, a duplicate of which you are now to receive, commanding them to give you all possible assistance in this work. For the work itself you are to order it in such sort as you shall judge most necessary for your defence, and so as it may be finished with most speed, it importing our service very highly that great diligence and haste be used in it, and therefore we recommend expedition most especially to your care. Concerning money there is a supply of 1,000*l.* sterling delivered to this bearer to be disposed of for our service as you shall direct. There is likewise order taken for the warrant to the postmasters in Scotland for the conveyance of your letters according to your desire. For all other business in your former letters we have fully signified our pleasure to you by your secretary Roberts. Your care in our service shall not be forgotten upon any occasion wherein your interests shall be concerned. We understand there is good agreement between the English and Scotch soldiers in the garrison, and therefore we hold Captain Shipman's stay there unnecessary, and give him license to come away and leave his charge to your disposing, which you are to let him know. *Endorsed*, "His Majesty's letters to the Lord Ettrick in answer of his of the 2nd of March." [*Draft in Sec. Windebank's hand. 1½ p.*]

Mar. 10. 70. The King to the Provost and Bailies of Edinburgh. We have lately by our letters made known to you how well we are satisfied with your obedience to our commandments, by the diligence you used and the assistance you gave to the safe and quiet passing of the men and munition which we sent not long since for your security to our castle of Edinburgh. And though we have reason upon so good a ground to expect from you, though unrequired, the like conformity in anything that may concern our service and your good, yet there being now another occasion presented by the fall of some of the works at the castle there,

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wherein you may, by your like readiness, confirm us in that our gracious opinion of you, we hereby require you to furnish Lord Ettrick, our governor there, with men and materials and all things necessary for the speedy reparation of those works, and to be aiding and assisting to him in this service to the uttermost of your abilities, your own safety and honour, of which we shall always have a tender and princely care, being chiefly concerned herein. [*Draft. 1 p.*]

[Mar. 10.] 71. Strictures on the arguments advanced in support of the demands made by the Covenanters deputed from the Parliament of Scotland to the King. The notes in the margin are in the King's hand.

1. His Majesty pressing them to declare whether they conceived he had power to prorogue the Parliament or no, they said it should be done by Act of Parliament or by consent of the States; but being pressed for a clear and positive answer touching his Majesty's own power in that particular, they concluded that they knew not what he might do in the extent of his high power.

2. [*Margin*: "Defyning of the Articles."] Touching the Act which they require for excluding the third estate, and by consequence the taking away his Majesty's royal prerogative, which all the Kings of Scotland have had, in the nomination and choice of some of the Lords of the Articles, they answered that there was no necessity of having any Lords of Articles at all, but only such a committee as the Parliament itself should choose when they were assembled; but when it was represented to them that this was new, and in effect not only an alteration of the whole frame of the Parliament, and an exclusion of his Majesty's just and royal prerogative, they replied that it could not be called new, seeing that way of choosing Lords of Articles was not until the time of Robert Bruce, which was not passing three hundred years since, and one of them [*margin*: The Sheriffe of Tividall] affirmed that there was now a necessity of this course, for how could they else leave out and exclude the third estate.

3. [*Margin*: "Castells. Strangers."] They complained that his Majesty had placed English soldiers in some of his castles in Scotland, alleging that strangers ought not to be so employed; whereupon his Majesty affirmed that his English subjects could not be called or esteemed strangers no more than the Scots were here.

4. [*Margin*: "Monies."] They affirmed that the King had no power to assign values unto money, but gave no reason, law, or precedent for it, and so held a frivolous desire that the Parliament only should do it.

5. [*Margin*: "Customes."] The reducing of his Majesty's customs and impositions to the ancient rates was ridiculous, for considering three hundred years is new and late with them, who can tell what they will call ancient, and besides they allege nothing for the diminution of his Majesty's prerogative in that particular.

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6. Lastly they insisted that his Majesty ought not to place any governor of either nation in any of his forts or castles without consent of the Parliament, which likewise appeared very frivolous, for so upon the death or removal of every governor a Parliament must be called or for ever continued. [$1\frac{1}{3}$ p.]

[Mar. 10.] 72. Answer to queries submitted on the part of the King to the Covenanters deputed from the Parliament of Scotland, with their answers to the same. These answers are according to the informations given to us by the Parliament who gave us our instructions. Signed by Dunfermline, Loudoun, Douglas, and Robert Barch. [*Printed in Rushworth's Collections, iii., pp. 1001-7. 7 $\frac{1}{4}$ pp.*]

[Mar. 10.] 73. Copy of the preceding. [$5\frac{1}{4}$ pp.]

Mar. 10. Whitehall. 74. Notes by Nicholas of the proceedings at the Council of War this day. Resolved that the officers of foot shall have allowance for their waggons from the time they shall enter into full pay. Resolved that such of the troops of horse as desire it may be mustered here, about this town, when they are ready, and have a week's pay delivered to them so soon as they have mustered 60 cuirassiers or 40 carabineers, and then to depart towards the rendezvous at Hull within eight days, and after another eight days to be again mustered about 30 miles from this town, when they are to enter into pay, and be mustered again at Hull. [1 p.]

Mar. 10. Westminster. 75. See "Returns made by Justices of Peace."

Mar. 10. Staindrop. 76. Nathaniel Ward to Sir Henry Vane. Concerning the trees sent with me and the wines they are disposed of according to your directions. William Towler, the gardener, will not accept of less than 18*l.* with a house in Raby. Touching the business of providing for the poor and suppressing superfluous alehouses, matters are yet as bad or worse than when you were present. Nor had I ever in my life before so much experience that the express laws of the realm, practised generally elsewhere, might be here baffled, or that men in place who pretend most forwardness should underhand stop what outwardly they seem to further, and I conceive both in these and other matters of this country your worthy son George has learned the humours of the inhabitants in this short time of his abode far better than I should do in the time of a complete apprenticeship. I shall use that patience and moderation in prosecution of your commands this way, that I shall either cause those in place to perform what they pretend or to discover plainly what they inwardly intend, or howsoever shall so far protract the time that a justice of peace may be settled hereabouts, who may make others know we are here as subject to the King's laws as they who live in the southern parts of England. In the meantime I begin to be very troublesome among my parishioners, both to present officers for neglect of their duties and tipplers for their notorious disorders; which course (mingled with all possible indulgence), till I understand the world better, I purpose to continue

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till either the delinquents are weary of their disorders or the magistrates ashamed of their neglect. [*Seal with devise. 1 p.*]

Mar. 10.
The Hague.

77. Sir John Conyers to [Sec. Windebank]. As I was about to close this letter I received the States' answer, who absolutely refuse my leave to come to serve the King except I presently quit my company, which I shall not refuse to do, and will not fail by the first ship to take my passage into England to do his Majesty the best service I can. In the meantime I would be thus far more troublesome to you. Here is a young man, my wife's sister's son, his name is Henry Hume, a near kinsman to the Earl of Hume, [also] to the Earls of Ancrum and Roxburgh, and as gallant a young man as any in the States' service of his age; he is about 26 years old, has served nine years, and is now a lieutenant in Abercrombie's Scotch company of horse. He has a good estate in these countries, and therefore the more fit to serve this state. I beseech you be pleased in my behalf and his to beg the King's letters to the Prince of Orange, if not in regard of my 36 years' service, yet for his merits he will be pleased to give him my company, or if not mine, then that which was Sir Thomas Lucas', which they esteem here to be a Scotch company, if the Prince dispose not of it according to his Majesty's letters, which I hear have been sent by Sir Thomas Lucas, to have power to resign it, which it seems cannot be effected, and that his Majesty's letters to that purpose be sent by Sir William Boswell to his secretary here, with order to deliver them to the Prince, and to follow the business, and to give an account of it to you, for I in the meantime hope to be in England; and Lieutenant Hume, though he be here now, may in the meantime be commanded to his garrison, which if he be, that he send for him to Nimeguen, where his garrison is, that he may also come and speak for himself. I beseech you, if M. Arsens, the States' Ambassador, be yet in England, that the business may be powerfully recommended to him, and that his Majesty's letters to the Prince be sent with all expedition. [2 pp.]

Mar. 10.

78. Edward Herbert, the Queen's Attorney and Solicitor General, to Sec. Windebank. Howell-ap-Rees being summoned by presentment to appear before the Bishop of St. David's, articles were exhibited against him for keeping a seminary priest and christening his children after that way, with the like, which his adversary failing to prove, the latter importuned the bishop to tender him the oaths of Supremacy and Allegiance. Rees being an ignorant man, and not understanding the English tongue, desired to have a short respite, which being denied him, he was thereupon committed. In that place the poor man is likely to be prosecuted with vehemency. His suit is to be by his Majesty's gracious favour removed hither, and security taken for his appearance. I beseech you acquaint his Majesty that it is my humble suit to him to have the poor man removed, and to you that it may be without putting him to the expense of a pursuivant, also that the gentleman who out of charity stays in town to follow it may be despatched, as his Majesty shall be pleased to think reasonable. [1 p.]

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Mar. 10.
Netton, near
Winterbourne.

79. John Swayne to Nicholas. I pray you peruse these few lines, showing how Michael Tidcombe, Sir Edward Baynton's under-sheriff, doth deal with me about the ship-money which I stand engaged for. I was charged in our side of the hundred of Amesbury, Wilts, by the sheriff to collect 196*l.*, of which I have levied 168*l.*, as my acquittances will testify, and Mr. Tidcombe has received the other 28*l.* in returns, and has delivered them to Robert Kent, bailiff, with some other returns of the south part of our county. I can make it appear that he has levied by distress 23*l.* or 24*l.* of the 28*l.*, but I can neither get the sheriff to give me a discharge, nor Kent to be accomptable to the sheriff. I beseech you to take it into your consideration, and to help me in it what you can, for if the bond should be sued upon me it might be part of my undoing. My partner and myself have collected almost 700*l.* for ship-money. I understand the remainder of the 28*l.* which Kent has not received is due from some poor people who are not able to pay, and some dead. [*Seal with arms, broken.* 1 p.]

Mar. 10.
Westover.

80. John Ashburnham to the same. As it is none of my least misfortunes to be, as I conceive, so unworthily matched with a competitor for the place of provider [for the army], so it is none of the least blessings that God has given me, in making me happy in a friend who on all occasions is so sensible of my honour, which is the highest expression that love can pretend to. I wonder that Colonel Goring if he were present [at the Council of War] did not make some distinction of our persons, for when he first spoke to me about it I told him that if the place were not of condition more considerable than would render such a man as Mr. Gibbons, who in the last expedition executed something in the like nature, capable of it, I would not for much more than the profit of the place be nominated for it. According to our appointment we despatched the business of Longparish last night. In absence of an attorney I was forced to draw out the articles which I send enclosed. Though you find in the conditions that you are to pay the whole 1,200*l.* on the 28th May, yet you shall have grace till 28th June for payment of the half. Further particulars relative to this conveyance. I am going this morning to Stratton to conclude with Lady de la Warr, and to-morrow towards Ashburnham. Jocular expressions about Nicholas and his wife. [*Three seals with crest and arms.* 1½ p.]

Mar. 10.
The Hague.

81. E. Countess of Levenstein to Sir John Pennington. When I see any who know you, I always inquire after your health, for I can never forget your civilities when I had the honour to come over in your ship and care with Lady Strange. Your respects to the Queen [of Bohemia], my mistress and hers, are very much esteemed, and I shall be glad of any occasion to give you testimony how much I honour you. [*Endorsed by Pennington, "Received from my Lady Levenstein, this 24th March 1639-40." Seal with coronet and arms.* 1 p.]

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Mar. 10.
Chester.

82. Robert Brerewood to [Sir Thos. Smith]. Excuses his delay in writing. I thank you for your acceptance of the place of one of the burgesses of our city, which I believe is really meant for you and will be truly performed; yet I would not have you to be over-secure, since you know the inconstant disposition of the people of this city. You would do well to write to your servant, Ned Williams, that he cause all your tenants and friends in the city to be sure to be at the election, which is to be on Monday sennight, and I shall join with him to do the like. I should advise concerning my cousin, your son Lawrence, that you would admit him of the Inns of Court at his now coming to London; the Inn to be chosen is the Middle Temple, where I shall be able to serve him. [1 p.]

Mar. 10.

83. The case between Dr. Balcanqual, Dean of Durham, and the church tenants, as reported to Archbishop Laud. Since Gray and Smith have confessed very nigh all of that wherewith I charged them, viz., that they never held their leases otherwise than now they do, and that Gray purchased his lease with its present tenure, and has never yet been aggrieved by any fine from the Dean and Chapter. Also that in divers corners of the country these two have assembled great companies of his Majesty's subjects, our tenants, of which many of them are of his Majesty's trained-bands, without any power or authority, and at these tumultuous meetings persuaded hundreds of our tenants to set their hands and seals to four several papers, obliging themselves to one another to prosecute against their landlords before any judicatory these two should think fit. Further charges against Gray and Smith. This business being now ready for hearing, I beseech your Grace that I may be heard at the Council table the first day that the King is present. The sum of what I shall deliver shall be to the purpose here stated. I am to solicit his Majesty that we may have an Act of Council not only disliking these tumultuous practices, but strictly charging all our tenants to hold themselves quietly and peaceably to those estates which they now hold from the church [of Durham] and have held since the reign of Queen Elizabeth, notwithstanding an Act of Council in her days pretended by them, but which is since discharged by a proclamation of James I.; commanding them also that if they find themselves aggrieved with their landlords they shall first address themselves to the Dean and Chapter, and make them acquainted with their desires or grievances; and that if they shall then find the fines set upon them for renewing of their leases to be too heavy or unreasonable, then it shall be lawful for them to complain to the Council Board, but so as it be not done upon a public purse, or by way of combination, but every one by himself, as knowing that the determination of the Council Board concerning one must needs conclude for all those who are equally concerned. And for the settling of this great tumult now in the country, I beseech your Grace to move his Majesty for this speedy order. [*Endorsed*, "Received 10th March 1639-40." 2½ pp.]

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Mar. 10.

Whitburn.

84. [Thomas] Triplet to Archbishop Laud. Five of these enclosed papers I thought it very necessary to send you, being all concerning the business in question. The sixth, being Dr. Duncan's letter, will show that we will not be unmindful of that Bancks whom I mentioned in my last. I entreat you to read *ex abundanti* the note concerning the bearer, my brother, whose benefactor is Edward Hyde, of the Middle Temple. By the governor of Berwick's letter it will appear to you that [Stephenson] is justly called in question, Morrell having now confessed the half of the charge, indeed enough of itself to make him and his abettors examples of sedition in dissuading from the lawfulness of arms against such rebels. Having so lately trespassed upon your Grace by a very prolix letter [see *March 4, No. 27*], and now having all these enclosed papers to trouble you with besides, I think it not civil to lengthen this paper too. I will only observe that by all this, that appears by Stephenson and his master, it is somewhat evident that they were the dispersers of that libel which my servant found coming from market on the 10th August, and which I send up by the bearer. P.S.—The pursuivant, as I hear, has had 3*l.* of Lilburne for giving him leave to stay thus long. They will excuse it because of the High Commission day; but I have reason to believe that it was to gain time to tamper again with Morrell; for Stephenson has been with him again at Berwick since the pursuivant came, as I am assured, though not to much purpose, as appears by Sir Michael Ernley's letter: [*Endorsed by Laud, "Received 17th March 1639-40. From Mr. Triplet."* *Damaged by rats. 1 p.*] *Encloses,*

84. 1. *The same to Bishop Morton, of Durham. I heard last night that the pursuivant who is come for the mayor of Sunderland, G. Lilburne and his man Stephenson [upon the] information against Stephenson at the last sessions, has given his prisoners [respite from] their journey till Monday next, for this purpose, says my intelligencer, [that they may make] my Lord of Durham a party in the business or may procure his letter, or [may effect this man's] escape the better. I would presume to counsel you to be on your guard against them. You will see that this business, as slight as it was made at the sessions, will prove a dangerous conspiracy, and I would not be in some of their coats for 100*l.* I hope that they have not surprised you already. If they or their agents come to you, instead of either counselling or writing for them, you may do well to take notice how they have abused you in taking an information concerning high treason without oath, though I offered the mayor to depose [to it before witnesses, and this on purpose that it might be needless to call it in public sessions, that it might be only showed in private to you as it was, and they have in readiness an ambuscade of Lilburne's friends, whose testimony concerning the party accused, viz., that he was honest and religious, you would give credit to, and so the business to be shuffled*

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over, as it was, the party concluded innocent, and myself a malicious informer. But Mayor Cottrell [Mr. Cottrell, mayor of Sunderland] shall know, my lord, that my information for the King ought to have been of better account with him, and that Stephenson, as I could have no malice to his person, because before this business I scarce knew him de facie, so he will appear to be an arrant knave and villain, besides his perfect and intestine malice to our church discipline, which will be sufficiently proved against him. His zeal has already dispensed with two famous lies. When the messenger asked him whether his master were within, he answered he knew not, though he came to the door immediately from waiting on his master at supper. When the pursuivant asked Stephenson his name, he said Nicholson. "Why, then," said the pursuivant, "go call George Stephenson, for I must speak with him." "Yes," replied the former, and ran away. So you may see a little what will become of this business, for truth seeks neither to be hidden away in corners nor defended with lies. Before this, there was sufficient matter, as I believe will appear, to some of their costs: Once again I admonish your lordship not to touch or meddle with these fellows. March 3. [Copy. 1 p.]

84. II. Triplet to Bishop Morton, of Durham. Though your lordship be pleased with me but conditionally, yet I protest that I have discharged my duty to you absolutely, which will appear when it will be evident what care I have taken to discover the plot of this little covenant to misinform and so to abuse your lordship. The Governor [of Berwick's] note to me I have sent up, which being but a certificate of Morrell's confession, I desired Mr. Johnson to entreat you from me to send to Berwick for a copy of the examination, that you may justly charge those who have wronged you in this business, and so make it appear how vain was the mayor Cottrell's boast that the Bishop of Durham would bear him harmless in this business, though he, like a very unworthy justice, refused my oath on purpose that it might be but a private information and to be made to appear so to your lordship. For my part I tell you truly, that if the King's attorney will not prosecute every man of these ex officio I will, if I may have leave, for I can prove that after the mayor was warned to proceed wisely and honestly in the disquisition of the business, he, notwithstanding, so published the matter, that Lilburne and his man had intelligence of it by an anonymous letter before they came home, which made them turn back and tamper with Morrell, their accuser, whom by fees and promises they so far prevailed with, that at that time he denied the words, but since has confessed so much as will make that anti-episcopal Stephenson and his part-takers

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to be but in a reasonable case. For upshot of all, to make the iniquity of Lilburne and his man complete, the pursuivant serving the warrant upon him and his man on Thursday, instead of taking them off with him on the following Monday, agreed with Lilburne for 3*l*. to stay ten days longer; in which time he acts two notable parts, one the baffling of the High Commission, pretending to save the forfeiture of his bond, and the other in sending his man Stephenson to tamper once more with Morrell at Berwick, whom, it seems, did *cretizare cum cretensi*, telling him that he had confessed nothing that would hurt him. If Morrell had told him the truth, I believe Stephenson would have made one escape more from the pursuivant and have joined issue with his brother Covenanters, when he was so near them. [Endorsed, "Copy of my last letter to the Bishop of Durham." $\frac{1}{2}$ p.]

84. III. Bishop Morton, of Durham, to Triplet. I thank you for your zealous affection, both in the cause and for myself. The mayor of Sunderland was with me two hours before your letter came to me. I gave a brief answer that I would not meddle in this business, they being now called in question about it. They impute the information against them to you, how justly I know not, nor how just the information might be, but I had this reason not to believe them, because I knew you would have acquainted me first with a matter of this nature; however, I again thank you. [Auck]land Castle, 4th March. [1 p.]

84. IV. Triplet to Bishop Morton. I am heartily glad that the mayor of Sunderland was a little before my man to no purpose. Unless I had sent in the night I could not have sent you the news of their design upon you. I suspect that I was but a second to your lordship in this action, for it is reported that your letter was with the Governor of Berwick ten days before mine, and all these parties conclude that, by intelligence from Berwick, [this pursuivant comes down, whether by your letter or mine they know not. [Copy. $\frac{1}{2}$ p.]

84. V. The same to Sir Michael Ernle, Governor of Berwick. A pursuivant is come down for George Stephenson, his master, and the mayor of Sunderland. When the pursuivant came to Lilburne's both for the master and man, after he had served his warrant on the master, and Stephenson was lighting him upstairs, the messenger asked him his name, when he, suspecting some mischief, replied George Nicholson, and under pretence of calling Stephenson made his escape. If it be put in execution, my life for yours within a day, or such a matter, the varlet [will con]fess all, and what Stephenson tampered with him at Alnwick, that

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made him thus deny that [this was] so expressly spoken to me; for though he be a soldier by office, yet I take him to be a coward by disposition; and as for fear of Lilburne he has been thus far a rene[gade to th]e truth, so now for fear of the King and the King's laws he will justify what he has [confess]ed. But though he do relent, seem not easy at first to take hold of it, for fear [of discovering] a plot; but seem to reject it, till such time as he be mightily humbled, and then send [and re]port the whole story in writing from the first to the last. I have sent my man on a dirty journey for the effecting of this good piece of service. Morrell must be kept close prisoner, that neither man nor letter may come to him from Sunderland. [March 5. Copy. 1 p.]

84. VI. Dr. E. Duncan [to Triplet]. I received your letter with one from Mr. Johnson, but not the other, unless it were the one I had given me by Mr. Swinborne. What you do against Puritans, God reward you for; I think the generation of them is most dangerous to this church and state, especially having a Scottish example of anarchy and confusion to follow. I have sent away Vincent and Laphorne, two very factious lecturers, though I had much ado to effect it you know. If we, who are in the right way of church obedience, were as zealous in our course as Puritans are, I believe by this day a Puritan had not been a weed in our garden. I shall be glad to see you next week, come to stay three or four days. I have read the book which congratulates the Covenanters for their positions and practice so corresponding to the Jesuits; there is excellent sport in it, especially a good comparison between Loyola, the captain and founder of Jesuits, and Lesley, the captain of Covenanters, both bastards, soldiers, debauched in their youth, lame, fighting under any for pay, converted, &c. I shall inform the Archdeacon of Bancks' outrage ultra ripas. Sir William Bellasis was with me, being lately come from London, and says all is war; 2,000 horse are to come down, the patent of general-lissimo is signed to the Earl of Northumberland, and Sir Jacob Ashley is again sergeant-major; 80 ships are providing, and 30,000 or 40,000 men for foot soldiers will be pressed. Durham, 3rd March, late at night. [1 p.]

- Mar. 10. 85. Certificate by George Fletcher that he had to bring into his Majesty's stores in the Tower 100 tons of English match at the rate of 45*l.* per ton, making a total of 4,500*l.*, of which he desires to have 2,000*l.* by way of imprest. [$\frac{1}{2}$ p.]

- Mar. 10. 86. The like certificate that he had to provide 50 tons of Flemish match at the rate of 28*l.* per ton, making a total of 1,400*l.*, of which he had already received 500*l.* [$\frac{1}{2}$ p.]

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Mar. 11.

87. Notes by Sec. Windebank of proceedings at the Council this day, the King present. An Act of State to be made declaring that the petitioners new come from the Covenanters have no power to give his Majesty satisfaction, but only instructions, and these from a few persons of no great consideration, and not from the Parliament, and those powers which they have by their instructions, come not home to any accommodation. Satisfaction to be given concerning the subscribing of the Covenant by the King's command; but this not in their sense; the Covenant, but not the bond. The new bond was to be sworn against all men, not excepting the King; this was the new one. The old one was made by the King himself. The new one a combination against the King. The old one signed by the Lord Marquis [Hamilton] and [the Earl of] Traquair. We shall mutually assist one another as we shall be commanded by the King or any authorised by him. When any are required to subscribe the Covenant as the Marquis Hamilton and the Earl of Traquair did, and in their sense, they refuse to do it. Nothing done in the general by swearing the Covenant [as] sworn by the Marquis and Traquair that may justify their proceedings. Never any Covenant made in the Christian world where the head was left out or had not a negative voice. Some short treatise to be published, stating what his Majesty expects of his subjects of Scotland, and what he will grant to them. In the first place his Majesty expects civil and temporal obedience. Till they acknowledge that the supreme magistrate must have authority to call assemblies and to dissolve them, and to have a negative voice in them, as it is used in all supreme powers of Christendom, they are not to be heard. His Majesty will first hear them, and they may give matter for such a treatise. [1½ p.]

Mar. 11.

Whitehall.

88. Order of Council, the King present. By an order of the 9th February, upon hearing the business for regulating the trade of bringing in and retailing sea-borne coal, a month was then given to members of the company of woodmongers and society of coal merchants, with the mayor and some of the hostmen of Newcastle or others, to present any new propositions to the Board for the better ordering of the coal trade and the accommodation of the city with coals at cheaper prices, either by a free trade or otherwise, and for securing the King's revenue. On Sunday last the Lord Mayor and Aldermen, with the parties before named, attended the Board, and declared that they had no further propositions to make, but desired that the contract of 17s. and 19s. might be kept, and that thereupon they are willing to submit to the former orders of the Board. It was this day ordered that the former contract made 2nd July 1638, with the society of coal merchants and the former orders of the Board, are to be ratified, and the orders likewise made by the society of coal merchants amongst themselves for better regulating the trade, but heretofore suspended by order of 15th May 1639, are also to be ratified. In case any of the coal merchants, masters, or owners shall exceed the prices settled by the contract

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of 17s. or 19s. respectively, or shall bring bad or unmerchantable coals, that then, upon complaint of the woodmongers or others, they shall answer their contempts at the Board. By an order of 27th November 1639, Christopher Medcalfe and William Toomes, Surveyors-General of Customs, were required to forbear to demand of the merchants, masters, or owners of ships of the society of coal merchants 9*d.* for a cocket, complained to be collected of late times as due by virtue of the said patent, until the first sitting of the Board in February, by reason the society of coal merchants alleged they had no benefit of the five in the hundred allowed to other merchants. It was this day further ordered that the 9*d.* for a cocket and 4*d.* for the return of the same shall still remain suspended until the Board upon hearing the parties shall give further order. [*Copy.* 1½ *p.*]

Mar. 11.
Edinburgh
Castle.

89. Patrick Lord Ettrick to the King. I have received yours of the 26th February, also your Majesty's commission with the articles of war, which will encourage me to proceed the more cheerfully in your service. I shall endeavour to show myself most sensible of your gracious favour in granting all my humble suits presented in my letters of the 18th ult. I have, as commanded by the Earl of Traquair, sent you a particular of all the ammunition and victuals within the castle. Sir John Ruthven accepts your gracious favour, and intends to make his speedy repair to your Majesty, while Colonel Francis Ruthven will remain here awhile to settle his brother's estate, but will not enter into any employment, and intends with his best convenience to follow his brother. You commanded me to let you understand what further supply of victual and ammunition would be required to sustain a year's siege. With officers, gunners, and artificers, here are above 300 men, besides a few women and children. I suppose, therefore, as much more ammunition and provisions as are expressed in the particular herewith sent will suffice for a year's siege; but it will require further deliberation to give a direct answer to this question, which I leave to your Majesty's consideration. The people here are of late become far more insolent than they have ever been since I came here, for not only timber and trees are denied me wherewith to repair the walls lately fallen down, but even at the gates of the castle all who bring in daily provisions are much abused and their provisions taken from them by the common people, with whom there is no order taken, notwithstanding my often sending to the Provost about it. I defer to use means to reform these disorders myself, lest it prevent me receiving the money promised by the Secretaries of State for payment of the soldiers. I pray let me receive all intended supplies with all speed, lest they come too late. [*Endorsed as received on the 17th March.* 2 *pp.*]

Encloses,

89. I. *A note of ordnance and ammunition in the Castle of Edinburgh.* March 11, 1639-40. [3¼ *pp.*]

89. II. *The like of provisions in the Castle of Edinburgh.* [¾ *p.*]

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Mar. 11.
Edinburgh
Castle.

90. Patrick Lord Ettrick to [Sec. Windebank]. I have received by my secretary Roberts the 500*l.*, which, according to your directions, shall be disbursed for pay of the soldiers, and other pressing occasions. I thank you for furthering me in my late suits to his Majesty. I beseech you to be a means that I may speedily receive further supplies of money, lest they come too late. Concerning the rents and yearly perquisites belonging to the castle, I could never yet understand the value of them. I have been often promised a true particular of them, which, as soon as I can obtain, I shall send you to present to the King. I shall endeavour to the utmost of my power to serve his Majesty in all particulars, as may show me sensible of his extraordinary favours towards me. P.S.—If you let me understand that you have given order to all postmasters to despatch packets superscribed with my name, I shall henceforth presume to send my letters in that kind. [*Endorsed by Windebank as "Received on 17th and answered the 19th." 1 p.*]

Mar. 11.
Berwick.

91. Capt. Charles Lloyd to the same. Reports progress of the fortifications at Berwick. Sir Michael Ernle showed me your last letter. All the prejudice I conceive done him [Sir James Douglas] is cutting sods in his fields, which I must of necessity do for the advancement of the works, but this cannot amount to five marks. The kilns which the town and Sir James are in suit for I set on work by Lady Douglas' own men, who supply me weekly with the quantity [of lime] I require, and I pay them for it according to the customary rate; and this is all the damage I can think of, unless it be a mill which was broken long before we came to the town. [*Endorsed as "Received on the 16th." 1 p.*]

Mar. 11.
Berwick.

92. Sir Michael Ernle to the same. I received yours of the 5th present concerning Sir James Douglas. I cannot tell in what he has been prejudiced, except in taking of some sods from his grounds for the works; and for the townsmen set on work about his lime, Capt. Lloyd will give you an account. The Covenanters intend sending 1,200 men to Kelso, under the charge of Lord Ker, son of the Earl of Roxburgh, and as many to Getwart [Jedburgh], under the charge of the Earl of Ancrum's son, into both which places arms are already sent. The Marquis of Douglas is come to remain here in Berwick; I told him I heard his eldest son was lately turned Covenanter, which he confirmed. The Marquis also told me that an Englishman was sent to the Covenanters in Scotland, to assure them that they had a very strong party in England, but I could not hear any such thing by anybody else. [*1 p.*]

Mar. 11.
Newcastle.

93. William Vane to his father, Sir Henry Vane. I have engaged the assistance of all the nobility and those of my acquaintance in these parts in my undertaking, but I confess that I find it very difficult, if not impossible, to raise all my troop here from that class of persons I could wish. Gentlemen will not serve upon 2*s.* a day, having had more by 8*d.* the other time, so that I fear finally I shall have to have recourse to the south; but of this and of all else I shall

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be better able to inform you next week, when I see what progress has been made in my business. The lieutenant whom you mentioned in your first letter is engaged with Lord Clifford. I have been requested by Sir William Darcy and others to recommend to you Capt. John Muschairs, who has served in the foreign wars, being an officer under the King of Sweden. He is a very able man, and was employed in the last service at Berwick. I pray you provide for me such handsome outfit as may be required for the present service, either at London or in Holland. [*French.* 2 pp.]

Mar. 11. 94. List of the King's servants and others required to contribute to the loan, similar to the lists calendared under date March 6, Nos. 36 and 37. These are to be warned to be at the Council table upon Wednesday, the 11th March, at 2 p.m. [*In the margin are the notes against the names of those who have been warned, of those out of town, and of the places where others are staying.* 1 p.]

Mar. 11. 95. Estimate of ordnance and munition to be presently supplied for furnishing the train of artillery. Included in these particulars are 20 brass drakes, whereof 10 to be of 3 lbs. bullet, and 10 of 6 lbs. bullet; also four whole culverins. These are to be furnished with field carriages bound with iron, with shod wheels, and all other things necessary for their draught, with spare wheels, block car, axletrees of each sort, ladles, sponges, rammers, moulds for cartouches, ropes for draught, &c.; likewise four mortar-pieces, two of a larger and two of a smaller size, with their carriages and appliances. [$1\frac{1}{2}$ p.]

Mar. 12. 96. Notes taken by Sec. Windebank at the meeting this day of the Committee of Council for hearing the Covenanters deputed from the Parliament of Scotland. [$\frac{2}{3}$ p.]

Mar. 12. 97. Bishop Morton, of Durham, to Sec. Windebank. I beg your
Auckland. patience in the perusal of these lines, which relate the truth of a business so far as came within the cognizance of my sheriff, Sir William Bellasis, Mr. Richardson, and myself. An information was tendered at the last sessions at Durham by the mayor of Sunderland concerning George Stephenson, servant to George Lilburne, who had spoken certain bold words in the defence of the Covenanters in Scotland, which information, because it was taken without oath, and the informer then a soldier at Berwick, it was thought good that a letter should be directed to the governor of Berwick, there to receive upon oath the party's information, and to return it to John Richardson, J.P., at Durham, whose sudden death made both this and some other country businesses for the present miscarry. While I was about to repair this mischance by sending to Whitburn, recently afflicted with the plague, where these words were spoken, I learned from you that a messenger had taken Lilburne and the rest. This messenger for Lilburne's cause has here dispensed with them for 12 days, although the others were ready to go with him, that so, as appears, Lilburne might affront his Majesty's Commis-

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sioners at Durham in Causes Ecclesiastical; for he, being bound to appear before them on Tuesday last to answer articles, put in an appearance, and so freed his bond, and then, under pretence of being his Majesty's prisoner, refused to enter into a new bond, either to answer by himself or his proctor, or to abide the sentence of the court, saying, "It was all one to him whether he was a prisoner at Durham or London." Whereupon he was committed; but the messenger, George Carter, in the face of the court, took him from the gaoler, and so set forward presently on their journey, plainly signifying by their actions for what ends they came thither; and by this means has he freed himself from his bond taken here. Therefore we desire, if it may seem to stand with justice, that Lilburne be compelled to give bonds with your honour to enlaw himself to the Court of High Commission again. [*Seal broken.* 1½ p.]

Mar. 12.
Chester.

98. Henry Birkened, junior, to his kinsman [Sir Thos. Smith]. I should have written before, but doubted the delivery of my letter, by reason of your purpose of removing from Ashton; but now I hope it has found you, and will be the more acceptable to you because delivered by the hands of those whom you have great cause joyfully to receive. Family matters. [1 p.]

Mar. 12.

99. Articles signed by Archbishop Laud, and proposed on behalf of Francis Earl of Bedford, touching the bringing of certain French and Dutch planters into the lands and fens in or about Thorney, within the diocese of Ely. These articles chiefly relate to the providing of a church and minister, and the use of the Liturgy of the Church of England in French or other language. [1½ p.]

Mar. 12.

100. Certificate by Lawrence Whitaker that Alexander Maurice had taken the oath of allegiance. [4 lines.]

Mar. 12.

101. The like by Henry Garwaie, Lord Mayor, and two others, justices of peace for the city of London, that Samuel Middleton, gentleman, had taken the same oath.

Mar. 12.

102. Testimonial by Robert Cottesford, rector of Hadleigh, and 11 others, that Gawen Nash, B.D., minister of the Tower church in Ipswich, had lived amongst them three years irreprovably, preached the Word of God constantly and orthodoxally, acknowledging the King's supremacy above the usurped authority of the Pope of Rome, and never had spoken anything in defence of Popery. [1 p.]

Mar. 12.

103. Information by George Okes and Christopher Thornton that, they being at Sellby's Inn in Long Acre, one [Edmond Rychers] maintained that the oath of allegiance to King Charles was of no force in foreign parts, and that an Englishman being in Flanders or elsewhere might bear arms lawfully against the King of England. [½ p.]

Mar. 12.

104. Examination of Edmond Rychers, taken before Lawrence Whitaker. Does not remember that he spake any such words as

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are informed against him by George Okes and Christopher Thornton, neither is he of any such opinion as those words import, but if any such words passed from him in his drink, he is heartily sorry. Protests that he is ready to draw his sword in the service of his Prince, is a communicant of the Church of England, and is willing to take the oaths of allegiance and supremacy. [$\frac{2}{3}$ p.]

Mar. 13. 105. Certificate returned to the Council by Martin Bradgate and Thos. Bell, merchants, and William Field and Michael Gardiner, vintners, that, according to an Order of Council of the 9th February last, for viewing of wines in difference between Capt. Langham, Robert Fison, merchants, and Robert Quarterman, vintner; as also between John Johnstone, merchant, and Thomas Symmes, vintner, we, the above-named referees, have viewed and tasted the said wines, and have all agreed upon the loss accruing from the inferior quality of these wines, as here stated, but cannot agree upon the proper incidence of these losses, so that we, Bradgate and Bell, do here deliver our opinions apart. [1 p.]

Mar. 13. 106. The like certificate returned by William Field and Michael Gardiner. [1 p.]

Mar. 13. 107. Sec. Vane to Sir Thos. Roe. By the occurrences I find that
Whitehall. great preparations are made in all places for an early campaign, and it has pleased God so to dispose of the affairs of this island that his Majesty is necessitated to prepare for the same also, as for the sitting down of his Parliament, which approaches near, being the 13th of next month, and I dare assure you it costs his Majesty the expense of much time. Yesterday the King appointed to hear the lords sent to attend him out of Scotland, they having desired to be heard in his presence, and that is now the third time they have been before him. At these conferences Archbishop Laud, Lord Treasurer Juxon, Marquis Hamilton, the Earls of Northumberland and Traquair, Lord Cottington, and the two Secretaries of State have assisted. His Majesty's grace towards these Scotch lords is such that though, by the opinion of the Lords above named and of the Council Board, the powers they brought with them are altogether invalid, and not satisfactory, yet his Majesty will give them a full hearing. [1 p.]

Mar. 13. 108. Sir Thos. Roe to Sec. Windebank. Having received your
Hamburgh. command to persuade good Scotch officers to [volunteer for] his Majesty's service, I could not refuse the bearer, Sergeant-Major Thelwall, who desires to be recommended to the Lord-General, the Earl of Northumberland, he having relinquished his designs here. [$\frac{1}{2}$ p.]

Mar. 13. 109. The same to the same. The like recommendation for Captain
Hamburgh. Thurland, of Sir George Fleetwood's regiment. [*Seal with arms, impressed.* $\frac{1}{2}$ p.]

Mar. 13. 110. Certificate of Gabriel Chickard that he had spoken to Clifton about the ship-money, who said that he had done what he could,

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but could not get anything to speak of, for some paid and some would not; but he would ask Mr. Holborne's opinion concerning the same. [$\frac{1}{3}$ p.]

Mar. 13.
Bilbao.

111. Prestwick Eaton to George Wellingham. I have received several of your letters of ancient date by Stone with the things you sent me. [*Seal with device.* 1 p.]

Mar. 14.

112. Certificate by Capt. William Legg, in obedience to the Lords order of the 3rd inst., for viewing of divers cavalry arms remaining in the hands of particular persons in and about London, and for treating with them for the prices thereof according to their several numbers, condition, and quality. List of the arms remaining in the hands of Sir John Suckling, viz.:—76 light horse armours, price 133*l.*; 57 pair of pistols, price 156*l.* 15*s.*; and 68 carbines with firelocks complete, price 102*l.* In the hands of William Cox, 45 Dutch light horse armours, price 51*l.* 15*s.* In the hands of Richard Wright, 35 Dutch light horse arms, price 40*l.* 5*s.* *Underwritten,*

112. i. *Order of the Council of War, signified by Nicholas, requiring the Officers of Ordnance to view the arms above mentioned, and having treated with their owners concerning the prices to certify the Lords the number, condition, quality, and prices of these arms, whereupon they will take such further order as shall be best for the King's service. Whitehall, 16th March 1639-40. [Copy. 1 p.]*

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Mar. 14.

Warrant for payment of 3,067*l.* 15*s.* 11*d.* to Thos. Lord Coventry out of the profits of the Hanaper for the years 1640 and 1641, with interest at the rate of 8*l.* per cent. per annum, and is in part of 6,000*l.* which he lent to his Majesty. [*Docquet.*]

Mar. 14.

Grant of the office of Rouge Croix, pursuivant-at-arms, to Wm. Dugdale, gent., with the fee of 20*l.* per annum, payable half-yearly out of the Exchequer, with all other profits belonging to the said place, during good behaviour. [*Docquet.*]

Mar. 14.
Whitehall.

Notes by Nicholas of the proceedings at the Council of War this day. Ordered that the Earl of Newport, Master of the Ordnance, shall call upon Colonel [Francis] Trafford for an accompt of the 600 arms which the dragoons had last year, and to appoint some to receive the same, and deliver them into his Majesty's magazine at Carlisle by indenture with the governor of the garrison there. Lord Conway, Sir William Uvedale, and Sir Jacob Ashley are to call to them Colonel Trafford, and to form 1,000 dragoons into a regiment of 10 companies, each to consist of 100 men besides officers, and accordingly to make an establishment for their entertainment,

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and to certify the same to the Lords at their next meeting. The paymaster of Berwick is to attend the Lord Treasurer and Lord Cottington about an establishment for pay of the new troops and companies of foot sent for reinforcing his Majesty's garrison there. Resolved that the 2,000 horse now being raised shall go at first to Hull, and be quartered thereabouts till they shall be well disciplined and exercised, and that then they shall march to Newcastle and be quartered thereabouts. Resolved that Thos. Manley, purveyor for the horse, shall have 10s. per diem, besides so many clerks and servants as the Lord-General shall think fit; he is to provide a month's provision of oats for 3,000 horse to be stored in Berwick, and so much hay as may be had thereabouts, and to this purpose he is to attend the Lord Treasurer and Lord Cottington. Ordered that the Master of the Ordnance shall provide 100 carts for carriage of tents for the foot, the same to be ready at Newcastle by the middle of June, the charge to be borne on the estimate for the train of artillery. Resolved that the allowance for waggons and carriages for horse and foot shall begin 14 days before the body of the army comes to the rendezvous, and shall continue so long as the army shall be in the field. Ordered that Mr. Allen, the drum-major, see what drums may be had in this city; also what youths are at Bridewell and in the hospitals who may be made fit to serve with drums in his Majesty's army, and thereof make certificate to the Lord-General. Ordered that Mr. Earlesman, who is cornet to Sir William Brunker's troop, shall be cashiered and committed to prison, there to remain during the Lord-General's pleasure, for having mustered a borrowed horse not his own; also that Sir Wm. Brunker's pay for himself and his horses be checked till the next muster, for his negligence in not preventing by his care the making of a false muster by those of his troop. [*Written on the same paper as March 10, No. 74. 2½ pp.*]

Mar. 14.

1. Henry Garwaie, Lord Mayor of London, to the Council. In compliance with your letters I have made search and inquiry throughout the city what butchers, either publicly or privately, sell flesh in Lent with licenses or without, and by whom granted. I find only these eight here named, who are all licensed by me according to the Lords' direction annually given. There are divers butchers in the parts contiguous to London, licensed by noblemen, who sell flesh into London, but within the city no more than I have specified. [*1 p.*]

Mar. $\frac{14}{24}$.
Paris.

2. Charles Louis, Elector Palatine, to Sir Thos. Roe. This is to acquaint you with my delivery out of the dungeon, upon what terms you will see by the relation I shall send by the next post, and accompany it with a letter to the King of Denmark. What could not be obtained at once, time and the constant assistance of my friends may accomplish. I have only advertised the King, the Queen [of Bohemia] my mother, and yourself, who, I do think, wish me most good. P.S.—I have received yours of the 28th January but since my coming hither. [*Seal with arms and crest. 1 p.*]

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Mar. $\frac{14}{24}$.
Paris.

3. Robert Earl of Leicester, ambassador in France, to [Sir Thomas Roe]. I wrote to you on the 29th February, and sent you the copies of the demands which these ministers had made to the Prince Elector, as likewise of a project of such an act as his Highness would be contented to join for satisfaction of the French King, and I hope you received the same. I have now little to say, but that the Prince Elector, on Wednesday $\frac{11}{21}$ of this month, was brought by M. de Champigny from the Bois de Vincennes to my house, where his Highness is content to accept an ill lodging (but the best I have) till the house be ready for him, where M. de Champigny has assured him that he shall be lodged and treated by the French King as soon as Prince Casimir goes away, which is expected within very few days. His Highness [the Prince Elector] has written to you himself, therefore I shall not trouble you any further. I perceive he has, as there is good cause, much confidence in your affection to his person and interests, and assures himself that you will continue it. I received last week a letter which Mr. [Joseph] Avery, by your appointment, wrote to me, and I pray you to assure him of my desire to do him service. [1 p.]

Mar. 14.
Elmore.

4. Sir William Guyse to Nicholas. I acknowledge with thankfulness the favour you have done my son in keeping him from the shrievalty this year; it manifests you have not forgotten the old love betwixt your father and me, which argues a generous mind in you. I wish I knew how to make you requital. I lately received letters from the Lord Admiral for the pressing of seafaring men in this county [of Gloucester] for his Majesty's service this year. The substance of these letters having been divulged before their delivery to me the greater part of the sailors hid themselves, so that I could not perform this service in such manner as I desired, wherefore I have been obliged to send the bearer to inform the Lord Admiral of the truth, wherein I pray your assistance and directions to him, who is unknown to my lord. [$\frac{3}{4}$ p.]

Mar. 14.

5. Account by Sir William Russell and Henry Vane, Treasurers of the Navy, of ship-money received by virtue of writs issued in 1636. Total received, 189,692*l.* 3*s.* 1*d.*; in arrear, 6,922*l.* 4*s.* 7*d.* [1 p.]

Mar. 14.

6. Similar account for 1637. Total received, 178,599*l.* 15*s.* 6*d.*; in arrear, 17,814*l.* 12*s.* 2*d.* [1 p.]

Mar. 14.

7. The like for 1638. Total received, 55,690*l.* 3*s.* 5*d.*; in arrear, 14,059*l.* 16*s.* 7*d.* [1 p.]

Mar. 14.

8. The like for 1639. Total received up to this date, 3,811*l.* 9*s.* 2*d.* [$\frac{1}{3}$ p.]

Mar. 14.

9. Account of ship-money for 1639 levied and remaining in the hands of the sheriffs. Total, 3,847*l.*, making with the 3,811*l.* paid in to the Treasurers of the Navy, 7,658*l.* It is added that 58*l.* had

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this week been paid of the ship-money arrears of 1636, 40*l.* of the arrears of 1637, and 391*l.* of the arrears of 1638, but no part of the arrears for 1635. [1 *p.*]

Mar. 16.

10. Jerome Earl of Portland to the King. Give me leave to represent to you that your castles and forts in the Isle of Wight are much out of repair. In 1636 you sent the Earl of Newport and others to make a general survey of all your castles there, and estimates for their reparations, which they accordingly did, but at so low rates that if the money had been presently issued it would not have perfected the works. It was two years after before any money was laid out there, in which time works formerly decaying were much more ruined, and then part of the money was expended in fees to the office, insomuch that the charge your Majesty has been at will be almost useless, except you order the reparations to be perfected; besides the great storms this winter have done much harm to your Majesty's house at Carisbrooke, and sunk a curtain at the sconce at Sandham. I therefore beseech your Majesty either to command a new survey to be made, or to grant a Privy Seal and moneys to be issued by way of imprest, to be accompted for, for these reparations, which if delayed will cost a far greater charge. I conceive that 800*l.* will perfect all the castles and make your houses habitable, so that your service may be better attended there. May it please you to be informed that it was formerly thought necessary by Sir John Ogle and others, who have by command surveyed the island, that a redoubt should be built at or about Carew's sconce, but this was thought unfit by the Earl of Newport in consequence of his not being aware that this place and Hurst [Castle] will command all the ships which pass at the Needles; for this reason, at my suit to the Lords, it was referred to the Trinity House to certify whether it were so or no, since which time nothing has been done in it. I am likewise informed there is a decree lately made in the Exchequer for draining certain lands and a haven to the north-east of the island; but before that work goes forward I beseech you to command that place to be surveyed, and consider whether the draining will not make it a much easier landing-place for an enemy than any other in the island. [3 *pp.*]

Mar. 16.
Whitehall.

11. Notes by Nicholas of the proceedings this day at the Council of War. Resolved and ordered that in regard the cornet and some others of the troop belonging to Sir William Brouncker made a false muster when they were first mustered near this town, by showing borrowed horses, that neither Sir William nor any others of that troop shall enter into pay until they be again mustered at York, and there show at least 40 horses; and this was by the Lords the rather thus ordered for that Sir William promised to satisfy his troop till that time at his own charge. Ordered that the officers of the Ordnance shall view the arms for horse in the hands of Sir John Suckling, William Cox, and Richard Wright, and shall certify the numbers, condition, goodness, and prices of the same.

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Ordered that Mr. Pinkney, formerly directed to be commissary for victuals, shall take charge of all provision of victuals laid in magazine at Berwick and elsewhere, and that the Lord-General may appoint other commissaries in other places; also commissaries for musters and other services for the army, with warrant for the pay of themselves, their deputies, and clerks. The Master of the Ordnance was prayed to give order for a sufficient number of drums, colours, partisans, and halberds for the army, consisting of 30,000 foot in 25 regiments, which he, being present, took notice of. Resolved that the cornets of every troop of horse, who formerly had only the same allowance of pay or horses as the quartermaster, shall have 6s. per diem, being 2s. more than the quartermaster. Ordered that the Earl of Newport perfect the train of artillery, specifying what number of officers and men are requisite, with their pay or allowances; the certificate to be presented at the next sitting, in order that the Lords may attend the King with the same. Resolved that allowance be given for one waggon and three horses to the captain of the Lord-General's horse guard. [2 pp.]

Mar. 16.

12. Notes taken by Sec. Windebank at the meeting this day of the Committee of Council for hearing the Covenanters deputed from the Parliament of Scotland. Lord Marquis [Hamilton] asked whether these were demands or reasons of the Parliament [of Scotland] or their own. If they were the Parliament's he would not censure them, but hoped, he being a member of the Parliament, the second in that kingdom, they were not the Parliament's, but if they were their own he would utterly disclaim them. They say they are according to their instructions. These were given to them by the Parliament, and it was done ingenuously. If it were the Parliament's, how are they authorised to deliver them? The commissioner avowed he desired the Church business should have gone on first, but they would not suffer it. The King: if they under colour of the Church business will go to the temporal, the deal a Church business will he confirm. They would have been contented if they would have constituted the Parliament that turned out the bishops. The Parliament was before the Lords of the Articles; this the foundation of Lord Loudon's argument: take away this, and [you] take away his argument. A number of the best of the nobility protested against this protestation, and therefore not the whole Parliament. Lord Loudon charged Lord Traquair that he had not made his writ good by word. The Earl of Traquair upon his knees desired if this could be proved he would lose his head. The other did the like. [*Margin*: That which he had agreed to by the Articles he did contradict by word afterwards.] The commissioner could never have a journal of what passed as he ought to have had, nor have anything registered. He, the Lord Loudon, dare not define whether the King hath power or not to prorogue a Parliament in the height of his power, but only to show what has been the constant practice, and to be silent where the law doth not speak; nor has he commission to say further in that point than he has set down in the answer to his Majesty. [1 p.]

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Mar. 16.
Rhosmore.

13. Owen Wood, sheriff of Anglesey, to the Council. By mine of the 14th February I certified you how late the ship-money writ and instructions came to my hands, and how I had given warrants for subdividing of the general assessment, which were accordingly brought in. I have since issued my warrants to the collectors in each hundred for the speedy levying of the money, but by reason it is a dead time of the year for money in this island, the revenue whereof consists in the sale of their cattle, for which there be no markets till summer, the collection goes the slower on. I shall be careful to hasten the same with all importunity, and furnish you with a further account with all possible speed. According to your command I send a note of what each hundred stands charged with, and what each clergyman is assessed to in particular for his mere ecclesiastical means, and what for his temporal. [*Seal with crest and arms. 1 p.*] *Encloses,*

13. 1. *Note of what the clergy are assessed, as well for their mere ecclesiastical possessions as their temporalities, severally, within the county of Anglesey. [1½ p.]*

Mar. 16.

14. Copy of an order made at a court of the Company of Card-makers of London, imposing fines for seven trade offences by Richard Reeve, a member of that company. [*¾ p.*]

Mar. 16.

15. Answers preferred to a petition of Richard Reeve complaining against the officers of the Cardmakers' Company for taking away his cards and tools, and debarring him from his trade, to his utter ruin. It is desired that some course may be taken with the said Reeve for troubling the Lords with these false informations. [*Copy. = 2 pp.*]

Mar. 17.

16. Mr Layburne to Sec. Vane. I here present to you a copy of [Peter] Gifford's composition for his recusancy, taken out of the Pipe Office, where the same is recorded, to which is annexed Sir Henry Croke's certificate concerning his due payment of his yearly rents. I assure you his Majesty's officers of the Exchequer much wondered that Mr. Gifford should be troubled for transgressing penal statutes made against Recusants, seeing that he pays to the King the greatest rents of any Recusant saving two or three. I send also enclosed Mr. Gifford's confession concerning his children. [*Seal with arms. 1 p.*]

Mar. 17.
Edinburgh
Castle.

17. Patrick Lord Ettrick to the same. This instant, after the sealing of my packet, the Lords of the Covenant sent two lords and two of the town [of Edinburgh] to tell me, in answer to my demand as to their intention by bringing much earth into a yard near the castle, that they did it to defend themselves as well as they could, and, for all that I perceive, they intend to build batteries and to block me up, having already denied me anything but daily provision. I beseech you to acquaint his Majesty herewith, as well deserving his serious consideration, and to let him know that, if I receive not his intended supplies forthwith, they will, as I conceive, be denied admittance. I further beseech his Majesty to send me an

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answer to my last letters, and to despatch away Captain Ridpeth, whom I sent post. *Endorsed*, "Received on the 22nd." [*Seal with devise, broken.* 1 p.]

Mar. 17.
Edinburgh
Castle.

18. William Roberts, secretary to Lord Ettrick, to Sec. Windbank. Not having been in town to learn any occurrences before my lord's letter sent you of the 11th inst. [*see page 545, No. 90*], I could not then give you any intelligence. What I have heard since, mostly from Sir John Ruthven and Colonel Francis Ruthven, I present to you, and for the errors I may commit I beg your pardon. [1 p.]

18. I. *Summary of news above referred to.* The town of Edinburgh has raised soldiers besides those of their town to reinforce the same, and has appointed Col. Blair to be commander. They keep strong watches by day and night; they exercise their soldiers both here and throughout the country. Of late the people of the town of the greater sort have seemed to be in great distraction, as being one day very calm and humble, and another day as peremptory. The meeting of noblemen began on Tuesday last, and is not ended, nor have all the noblemen come to town. It is reported that the people have subscribed a bond that every man shall part with the tenth part of his estate towards the maintenance of their intended armies, which some of the richer sort did not without much murmuring, and some have refused it. Also that since this meeting began that they tendered it to Lesley to be their general again, and would have joined some noblemen in commission with him, which he has refused, and thereupon it is supposed by some that, if Lesley accepts not thereof, Lord Almont will be made general. There have lately arisen great contentions betwixt some noblemen and others in Angus, which are not yet appeased. It is reported that great contentions arise betwixt the Earl of Argyle and the Earl of Seaforth, and that Seaforth intends to join or has joined with the Earl of Airlie and Lord Rae to serve his Majesty. It is reported that Lesley made a speech in this present meeting which has much encouraged the people, so that they resolve to fight with his Majesty's army, though ten to one. It is supposed that the Lord Deputy of Ireland is to invade the north of Scotland with an army from Ireland, and it is said that if he does so the Earl of Argyle will, from a river in the west, transport an army to Ireland, and hopes to make a strong party of malcontents there to join with him. The Earl has prepared boats and other vessels in a river where his Majesty can send no ships to prevent them. They say their armies will be all volunteers and very willing men, and the King's armies prest men, therefore they care not how great the King's armies are. They report that they have as much ordnance and ammunition as they desire, besides many other great boasts which they make daily. [1½ p.]

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Mar. 17.

19. The mayor and jurats of Hastings to Robert Read, secretary to Sec. Windebank. You have the election of one of the barons of this next Parliament passed upon you this day for this township, wherein we wish you much joy. Our desire is that you would come to us as soon as conveniently you may, to take your oath and orders as becomes, when we will more particularly acquaint you with the affairs of this town, but if you cannot without prejudice we will take some other course to save your pains and trouble. P.S.—Sir John Baker, Bart., is joined with you; he lies next door to the Horn Tavern in Fleet Street, London, to whom we have also written to like purpose. [$\frac{2}{3}$ p.]

Mar. 17.

20. Renaldo Knapton, under-sheriff of Dorset, to Nicholas. The high-sheriff has received the Lords' letter of the 5th instant, wherein he is reproved for his remissness concerning the ship-money. He cannot as yet procure all the rates from the constables to be confirmed, but will proceed with all diligence, both by way of distress and otherwise. He has now sent up by his brother 554*l.*, and hopes by the next term to transmit a good part of the remainder. I pray you to direct him where to pay it. [*Seal with arms.* $\frac{3}{4}$ p.]

Mar. 18.

21. John Brownlow, sheriff of co. Lincoln, to the Council. I have used all the diligence I could for levying the ship-money in this country, yet through the negligence and averseness of the assessors in very many places I cannot procure it to be assessed, divers of them directly refusing to make any assessments, and others delaying it with unnecessary excuses, some of whose names I present to your Lordships, not venturing to trouble you with the whole multitude of them, craving your assistance and further directions, for without the help of the inhabitants it is not possible to assess the particular persons of every town. I have collected 650*l.*, which according to my former directions I have sent up to the Treasurer of the Navy, and will do my utmost endeavour to procure the remainder. [*Seal with arms.* 1 p.]

Mar. 18.

Berwick.

22. Capt. Charles Lloyd to Sec. Windebank. There is but small alteration since my last letter. The masons are at work repairing the old wall. I hope I shall have done with the bridge this next week. Reports the further progress of the works about Cowport and Maryport. The timber from Holy Island is used up, so I must crave a further supply, which I could wish were sent hither, for the removing of it from Holy Island is very chargeable. I wrote to you about a place for stowage of my materials, the townsmen being very refractory and demanding excessive rates. I likewise desire the Lords' warrant for carts and other carriages to be supplied by the country at the King's rates. *Endorsed*, "Received 23rd." [1 p.]

Mar. 18.

Berwick.

23. Sir Michael Ernle to Sec. Windebank. I received a letter from the Earl of Northumberland on the 15th instant commanding me to receive 400 men into this town, who are to be here by the 1st of April, and then to discharge the five companies of the trained-

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bands. I wrote to you in my last that the Scots intended to put men into Kelso and Jedburgh, where as yet there are only arms, but no men. The Lords of the Covenant are very busy. At Edinburgh there are 500 men armed under the command of Colonel Blair, and I am informed they intend to raise 4,000 more, whereof 2,000 are to come upon these borders, and other 2,000 are to be upon the north of Scotland. P.S.—I am informed that the Lord Loudon, who is now at London, brought 500 books with him, which he has spread abroad in England. *Endorsed*, "Received the 23rd, and answered the 29th instant." [*Seal with crest and arms. 1 p.*]

Mar. 18.
Pendennis.

24. Nicholas Lanning [to Sec. Windebank]. This very hour came news of the death of worthy Sir Francis Godolphin, Governor of Scilly. I know not whether that command be already given in reversion, but am sure it is inferior to none in England. If this prove a timely advertisement, and may any way advance the designs of your lordship or your friends, I have my end. [*p.*]

Mar. 18.
Tehidy.

25. Thomas Bassett, Lieutenant-Governor of Scilly, to Nicholas. My uncle, Sir Francis Godolphin, was his Majesty's receiver of the rents of the Crown in cos. Cornwall and Devon, a place more of honour than profit. It has pleased God to take him from us, and I beseech you to use your power with your friends for my advantage, that I may succeed to the office as his near kinsman and an inhabitant within the county where those lands lie. By Sir Francis' death the command of the fort of Scilly is also void, and my brother, who waits on you herewith, has served the King in all his wars, and a more honest or able man cannot be chosen to serve his Majesty in that duty. I beseech you to hear and favour him in it. Your power with Sir Francis Windebank, who in our tin business has a little knowledge of me, can easily effect this for me, and will on your instance. [*Seal with crest. 1 p.*]

Mar. 18.

26. Estimate, certified by order of the Council of War and warrant from the Master-General of the Ordnance, of the charge of 100 carts for carriage of tents for infantry, to be ready at Newcastle by the middle of June next. Total, 1,293*l.* 6*s.* *Underwritten*,

26. I. *Notes by Nicholas.* There are letters written to several counties for sending to Newcastle by the middle of June not only 300 horses for these carts, but 1,100 more for the train of artillery, and to send with every three horses a carter. There is to be an allowance of 1*s.* per diem for every horse, and 8*d.* per diem for a carter. [*1 p.*]

Mar. 19.

27. The King to Patrick Lord Ettrick. With yours of the 11th instant we received the two certificates of the provision of munition and victuals in our castle of Edinburgh, and we will not fail to send you supplies, both of men and other things necessary for your defence, with as much speed as may be. For moneys, we sent you lately by your servant 1,500*l.*, besides a former sum of 500*l.*, which

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was delivered to your secretary Roberts for our service. By the last messenger we likewise sent letters to the town of Edinburgh, thanking them for the obedience they showed to our commands in assisting to convey the men and munition into the castle, and commanded them to continue their diligence in supplying you upon all occasions with such things as you should want, especially at this time with workmen, timber, and other materials for reparation of the works and walls lately fallen down, seeing their own safety is concerned therein. But because we understand by these your last letters of the 11th present, that you find the people there far more insolent than ever heretofore, and that they have not only denied you timber to repair the walls, but even at the gates of the castle such as bring in daily provisions are much abused and their provisions taken from them, we have renewed our commandments in a more strict manner to the provost and magistrates not only to suppress these insolencies, but likewise to cause you to be furnished with timber and all materials necessary for the reparation of the ruined works, and this upon their allegiance and as they will answer the contrary at their utmost perils; and if in contempt of these our commandments they shall not only neglect this our service, but shall presume to raise any work near the castle, by which the force and strength of that place may be rendered less considerable or less able to defend itself or to command the town, in such case we will and require you to have recourse to hostility and open force, and to use all the power and strength you have to batter down and demolish any such work, and not to suffer the town to put such a bridle upon you, to our and your perpetual dishonour. This being a business of so great importance, as that our own honour and the success of our affairs in that our kingdom, besides your own interests, are highly concerned herein, we doubt not but you will take it to heart, as becomes a person of honour and merit, and obliged to this service both by your duty and promise, and will order it accordingly. Whereas we perceive by the Earl of Traquair that you are in doubt whether we have granted the entertainment to your son which you desired, we do hereby signify our pleasure that we have granted to him the entertainment of 15s. by the day, to begin from the 1st of August last, which was the time of his entrance into the service. *Endorsed, "19th March 1639-40."* [*Draft in the handwriting of Sec. Windebank. 2 pp.*]

Mar. 19.

28. The King to the Provost and Bailies of Edinburgh. By our letters of the 10th of this present we signified our pleasure to you to supply Lord Ettrick, Governor of Edinburgh Castle, with workmen, timber, materials, and all other things necessary for the reparation of the works and walls lately fallen down there, which, considering how much your own preservation in these disorderly times is concerned therein, we doubted not but you would readily have obeyed; but because we understand that, upon such instances as have been made to you for this service by our said governor,

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you have delayed to give him satisfaction, we have thought good by these our special letters to reiterate our former commandments to you, charging you upon your allegiance not to fail immediately to furnish the governor with workmen, timber, and all other things necessary, at reasonable and usual prices. We further stringently command you to suppress and punish all such of that town as, upon complaint of our governor, shall be found guilty of offering any violence or insolency to any of the garrison there, with whom our pleasure is that you shall hold a fair and friendly intelligence, and whom we have commanded to use the like respects and civility to you, upon which your mutual safeties and preservation will much depend. Thus you see our princely care of your good, and we doubt not but you will show yourselves worthy of it by your readiness in this service, which so much concerns both us and you. *Endorsed, "19th March 1639-40." [Draft in Sec. Windebank's handwriting. 1½ p.]*

Mar. 19.
Whitehall.

29. Sec. Windebank to Patrick Lord Ettrick. I presume that one part of your letters of the 11th inst., with which you honoured me, concerning further supplies of money, is already answered by his Majesty's letters of the 10th. The party to whom these were entrusted had delivered to him 1,000*l.* to be employed for the King's service as you should direct. His Majesty having now understood by your last letters that the townsmen of Edinburgh are grown insolent since the ruin of the works and wall of the castle, and that they have not only refused to supply you with timber and other necessities for the repairing of those works, but used violence and outrage to such as you sent out for provisions, has written a quick letter to them, a duplicate whereof goes herewith, commanding them, upon their allegiance, to supply you with all necessities fit for the work. Concerning other things in your last letters, you will understand his Majesty's pleasure by his own letters, which go herewith, and if in anything within my charge I may give any furtherance to you in your service there, I will endeavour to deserve those acknowledgments which in the abundance of your goodness, overvaluing my inconsiderable services, you have vouchsafed me. P.S.—Order is given to the postmasters upon the English road to cause all packets subscribed by you to run with as much diligence as any do despatched from the Secretaries or Council here. *[Draft. 1 p.]*

Mar. 19.
Whitehall.

30. Notes by Nicholas of the proceedings this day at the Council of War. Ordered that Sir Job Harby shall give order to his correspondent or factor in Flanders to cause all the muskets, carbines, and pistols to be provided in Flanders for his Majesty's service, to be made according to the patterns sent over by John Lanyon, his Majesty's proof-master, who is to approve them according to contract, though they cannot be made in less than four months' time. The factors are required to send over the arms weekly or monthly as fast as they shall be made, as also the saddles and arms for horse already purchased. Resolved that all the officers of infantry belong-

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ing to his Majesty's army shall receive half-pay from the 20th inst., except those sent by the Lord-General into the counties to assist in the levying, exercising, or conducting of the foot, who are to enter into full-pay from the time that they shall be so employed, for which the Lord-General is to give warrant to the Treasurer at Wars. Every colonel's company consisting of 200 men shall have three sergeants and three drummers allowed. Ordered that the Master of the Ordnance shall give order for providing 50 halberds for the 50 men appointed to be of the Lord-General's guard. [*1 $\frac{3}{4}$ p.*]

Mar. 19.

Warrant of the Commissioners for Saltpetre and Gunpowder to Robert Smith, messenger, to bring before them Henry Drury, carpenter, living at the Hermitage Dock in St. Catherine's, and Robert Chesland, wine cooper, owner of the said dock, living in Rood Lane. [*Copy. See Vol. ccxcii., p. 117. $\frac{1}{2}$ p.*]

Mar. 19.

Minute of the appearance of Henry Drury and Robert Chesland this day before the Commissioners for Saltpetre and Gunpowder, but they are to remain in the messenger's custody. [*Ibid. 3 lines.*]

Mar. 19.
Kensington.

Deputation by Henry Earl of Holland, Chief Justice, and Justice-in-Eyre of the Royal Forests on this side Trent, constituting James Kirle and William Guise his deputies, to continue and adjourn all pleas of the Forest of Dean to such day and place as they should determine, and to perform all other duties this term. [*Copy. See Vol. ccclxxxiv., p. 74. 1 p.*]

Mar. 19.
Newcastle.

31. Sir Lionel Maddison to Sec. Vane. Upon my return home from York I received your letter, which gave me great contentment. For what you wrote about Choppell Woods you may rest confident of my furtherance therein. The reason no more was done in that business was Mr. Vane's present condition and employment, my absence, together with Mr. Conyer's infirmity. My son is now over at Raby Castle, and will appoint a day for discussing the business with some men of good understanding. Thanks for the kind invitation to your house. [*Seal with arms. 1 p.*]

Mar. 19.
Eston.

32. William Lord Maynard to Sec. Windebank. I received on the 17th your letters of the 12th inst., together with the King's writ for my summons to the Parliament in Ireland, and his dispensation for my personal attendance there, with permission to send my proxy, by both of which I find that the Parliament was begun in Ireland before I received my writ, so as there is an impossibility of my personal attendance there, and I cannot see how my proxy can come time enough thither. Besides I received his Majesty's writ for my attendance at the Parliament here in England, divers days before I received that for Ireland, which I took to be a kind of supersedeas to this. I have accordingly prepared myself to give my personal attendance here, to do his Majesty and this Church and kingdom the best service that I shall be able; and therefore, since I cannot possibly attend in both Parliaments, happening so near together, especially my writ for the Irish Parliament coming after

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the same had commenced, I was in hope the King would have spared even the sending my proxy thither in respect of my attendance here, which I understand to be the rule. I have returned you the proxy under my hand and seal, leaving a blank for the name of such nobleman to be inserted as his Majesty shall think fit, but whom I pray may be a good Protestant, conformable to the Church of England. I crave your mediation with the King in my behalf, that for the reasons here alleged my proxy may be spared and returned to me again. P.S.—I have appointed the bearer to pay all fees due for my dispensation. [*Damaged by damp.* 1 p.]

Mar. 19.
Sandwich.

33. The Mayor and Jurats of Sandwich to Nicholas. We could desire no greater happiness to befall this town than that you should be one of our burgesses for this Parliament, for which we strive by all means. Whilst we were working this blessing to ourselves, black-mouthed envy belched out a most false and scandalous aspersion upon you, viz., that you were a rank Papist and had not been to church these 16 years; whereof last night being informed, this morning we called before us the parties who heard the delinquent publish these scandalous speeches, and having taken their examinations we sent for the offender, who stands committed till he find us very sufficient sureties to appear at the next sessions here, and in the meantime to be of good behaviour, except you please to have him sent for up, and punish him there according to his demerits. Truly, sir, we are very sorry for this unlucky accident, and from our hearts do wish that we could so punish him as would give you satisfaction, and as he has demerited. Yet we are fearful that this false scandal will somewhat prejudice our desires and aims to have you one of our burgesses; nevertheless we will labour to the uttermost of our power in it, and hope that neither the thrice honoured Lord, the Lord High Admiral, nor yourself, will take any distaste against us or your other friends, who all do and ever shall rest at your command. P.S.—The day of election will be on Tuesday next, being the 24th inst. [1 p.] *Encloses,*

33. 1. *Copy of examinations referred to in the above letter, taken before William Halsnoe, mayor of Sandwich, and the jurats there; viz., of William Crispe, saddler; Richard Bourne, turner; and George Bridge, glover, all of Sandwich.* [1½ p.]

Mar. 19.
Sandwich.

34. John Philpot, bailiff of Sandwich, to Nicholas. I went down to Sandwich in pursuance of the good desire I had to acquaint them how much it concerned us to elect you for one of our burgesses. It was among the better sort of people so well understood, that there was little doubt of it; but the factious Nonconformists purposing to set up Messrs. Edw. Partridge and Cullen, who adhere to their confederacy, although mere strangers to the corporation, have bruited a great scandal of your inclination to Popery, as the examinations enclosed in the mayor's letter will inform you. It has so crossed the business, as we fear much what the success will be. Sir John

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Manwood is recommended by the Lord Warden, and Serjeant Finch by the Lord Keeper, and we are doubtful that the popular assembly will be as tumultuous as they were in Canterbury. I beseech you consider of this, and what shall be done with [William] Fagg, the author of this scandal, and [so much] favour the magistrates as to send down directions to them what to do further, for we have put off the day of election till Tuesday, and your answer will very much comfort them. [*Seal with arms. 1 p.*]

Mar. 19.

35. Mrs. Dorothy Humber to Nicholas. I entreat you to peruse the enclosed case of difference betwixt your sister's son and my son, the rather for that your name and power are vouched against my son, yet I believe without your knowledge, nor can any who know you aright believe that you will in any way countenance such an unjust claim. For my part I presume rather of your friendly endeavour by a word or two to your nephew to put an end to these differences. I entreat you not only to press for a speedy dividing of the farm land from the free land, a work very beneficial to both parties, but to further the performance of promise of 20*l.* made me by your nephew, a small matter in comparison of the value of the farm unjustly diverted from my son. [*Seal with crest and arms. 1 p.*] *Enclosed,*

35. I. *The case of Thos. Humber. [1 p.]*

Mar. 19.

36. Petition of Oliver Andrews, impropiator of the rectory of St. Gregory in Sudbury, co. Suffolk, to Archbishop Laud. By your order of 11th July last you decreed that your petitioner should allow to Robert Smith, clerk, curate of St. Gregory in Sudbury, 35*l.* per annum for officiating the cure, besides arrears, and also should allow 20*l.* to the curate of the chapel of St. Peter in Sudbury. Out of these sums and arrearages Sir Robert Crane was ordered to pay a proportionable share to the curates for the tithe of his mills. Petitioner has hitherto duly satisfied your order, and discharged the whole due to the curates, but Sir Robert has allowed nothing. Prays his Grace in further explanation of the said order to specify how much of these sums and arrearages Sir Robert shall pay for his particular; also, as the curates have valued the small tithes at 20*l.* per annum, he desires that they may themselves gather the same in lieu of 20*l.*, in regard they can improve and make more of them than petitioner can. *Underwritten,*

36. I. *I think this petition very reasonable, and therefore I desire Sir John Lambe and Dr. Eden to speak with Sir Robert Crane, and put this business in a fair way, that it may be settled at the beginning of term. W. CANT. 19th March 1639-40.*

36. II. *I think fit that no proceedings be in your office against petitioner till next term, that Dr. Eden and I may meet; and in the meantime I desire Dr. Eden to speak with Sir Robert Crane, who lives in his jurisdiction, that so an end may be made when we meet. JOHN LAMBE. 20th March 1639-40. [1 p.]*

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Mar. 19.
Whitehall.

37. Ratification by the Commissioners for Saltpetre and Gunpowder of the agreement entered into between Sir Robert Mansell, Vice-Admiral of England, and Alexander Harris, deputy saltpetreman for the city of London, to the effect that all such ashes as shall be brought into the Thames shall be brought to Sir Robert's storehouse, but a third part to be delivered to Mr. Harris at the price given for the same by Sir Robert, so that it exceed not 9*d.* a bushel. [$\frac{1}{2}$ *p.*]

Mar. 19.

38. Estimate of the officers of ordnance, by direction of the Earl of Newport, specifying the charge of partisans, ensigns, halberds, and drums for 25 regiments, consisting of 1,200 men in each. Total, 2,735*l.* [$\frac{3}{4}$ *p.*]

Mar. 19.

39. Notes of such estimates as have been approved for ordnance, munition, and military stores, with the moneys to be received thereon. Total, 6,710*l.* 0*s.* 6*d.* *Underwritten by Nicholas,*

39. 1. *Warrant to Sir John Heydon for the whole sum for ordnance to be issued to Mr. Breeme when the ordnance shall be delivered into his Majesty's magazine.* [$\frac{3}{4}$ *p.*]

[Mar. 20.]

40. Petition of William Harris, Andrew Hawes, Thomas Deacon, William Wilson, and John Swale, of London, cheesemongers, to the Council. Petitioners have provided all the butter and cheese this year for the northern expedition, and have undertaken by their contract with the Lord Treasurer and Lord Cottington to furnish and deliver at their own charge and adventure 2,000 firkins of new grass butter at the ports of Berwick and Newcastle for his Majesty's service, which butter is already provided in the northern parts, and ready to be shipped from the ports of Stockton and Whitby. Petitioners also certify the Lords that they will always be ready to furnish what further quantities shall be desired at the former rates and prices. Pray order to the customs officers at Stockton and Whitby to suffer their factors to ship the butter so provided for the King's service, and, in regard of their contract, to ship for the port of London such quantity of butter as they shall have occasion to use for their trade. [$\frac{2}{3}$ *p.*]

Mar. 20.

41. The Deputy Lieutenants of co. Devon to the Lords Lieutenant of the same county. The letters of command for reducing the muskets of this county to a conformity of bore, lately recommended by the Lords, after serious perusal at this assize, appear to us not only to differ from our propositions, but also very difficult in the way of execution. Hereof we held it our duty to give you advertisement before venturing to put in practice things not clearly understood, which, proceeding originally from us, may happen either to be erroneous or mistaken. To take away any man's goods from him was as far from our intentions and your lordships' approvement as we conceive it is from justice; much more unequal is it to force the same man to find a new musket, when

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deprived of his old, to be cast into a common store. But if it had been thought expedient to trust us with an authority to persuade the owners of foot arms in every parish to lay up their arms in a common store in that parish, there to be kept and maintained ever after at the common charge of the parishioners, we conceive a full reformation of all defects would soon follow. But we desire now no new commands; a suspension rather of these seems fitter at this time till after the Parliament, where possibly these and some other military propositions may receive a general discussion. But if our received directions must be followed without delay or further consideration, we shall be still found your obedient servants. [*Apparently a draft, wanting signatures and superscription, but endorsed,* "The Deputy Lieutenants of Devonshire's answer to the Lord Lieutenant of the same concerning arms." $\frac{1}{2}$ p.]

Mar. 20.
Essex House.

42. Robert Earl of Essex to Sir Thos. Roe. Had I known sooner how to have paid you that respect which I have ever owed you, and now lately for your good advice and your pistols, I had not been thus negligent. And now the Scots are so busy as that I have only time to tell you that I am suddenly sent away towards the Borders post, and I have been twice at my fay Rose to have kist her hands, but had not that honour, but do heartily wish that our home broils were ended, and that we were upon a good occasion abroad. Noble sir, whatever becomes of me, you shall ever find me your faithful friend. [*Seal with arms.* 1 p.]

Mar. 20.
Chester.

43. Thos. Murden to [Sir Thos. Smith]. I was glad to receive a letter in your own hand this last post. It found me upon my bed, to which I have been confined this last week with the gout. The first lines of your letter made me very pensive, but the good hopes held out of my lady's amendment by the course of physic she is entering on much contented me. Before this I am sure you have seen your pair of towardly sons, and received my letter with the 100*l.* which was in my custody. On Wednesday morning Stephen Smyth called here and left word for me to send the money, which I intended, but could not change it into gold. It is all I have yet received, saving some put out to interest, of which I formerly advertised you. I will send you such plate as you require. The city [of Chester] yesterday began to warble concerning the election [for the Parliament] of the recorder [John Ratcliff], which was moved by some jealousy of [Francis] Gamull and his friends, lest he should attempt anything concerning the causey to Mr. Gamull's prejudice. Sir Richard Grosvenor and others interfered in this dispute, and by the honest chancellor's mediation cleared all doubts, and made them constant to their former election of yourself and the recorder. Amongst others who have honoured me this day with their visits were Lord and Lady Rivers and Lord and Lady Cholmondeley, who took a poor dinner. Amongst other discourses the county election had the prelation, wherein these lords have so bitter a distaste of the neglect given them by our two great patriots, as,

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for aught I see, the matter grows very high, and the contestation like to be the greatest that ever we heard of in our country. Sir Thos. Aston has divulged a judicial apology to all the freeholders, and Sir William Brereton wins daily amongst the religious, so that many are sensibly seen to fall off from their engagement, and the victory more doubtful. Easter Monday is the day for the country, and Monday next for the city [of Chester]. My cousin Roger Wilbraham is resolved to sell the new house and lands, which are worth about 90*l.* per annum. Be pleased to consider of it whether you affect the purchase, and I assure myself you may have the first refusal. If I do not now write to your ever honoured lady, it is because I am not able. My wife and all mine pray for her and yourself. [4 *pp.*]

Mar. 20.
My house in
Queen Street.

44. Algernon Earl of Northumberland to [Leonard Pinckney, commissary-general of victuals for the army]. Specifies the quantity of provisions and beer to be provided for Berwick and Newcastle, the same to be at Berwick by the 25th of June; these are to be weekly or monthly supplied in such proportions as shall be desired by the general. It is conceived that there is corn of several sorts in Newcastle to serve the army two months at least, and they have very good convenience for grinding and converting the same into bread; besides, the country thereabouts is full of provisions of all kinds, so that the only commodities needful to be sent thither for the present will be 600 tons of beer, 1,000 weighs of cheese, and 2,500 firkins of butter. If the brewers there have but warning they will be able to provide a good quantity of beer in due time. I desire the Lord Treasurer and Lord Cottington to give order that these proportions of victuals may be provided and sent to Berwick and Newcastle in due time. [$\frac{3}{4}$ *p.*] *Subjoined,*

44. I. *Note by Pinckney. The Lord Admiral on 5th April ordered me to provide of the proportions formerly desired, the quantities here stated.* [$\frac{1}{4}$ *p.*]

Mar. 20.

45. Declaration of the Freemen of the port and town of Hastings, in Sussex. We being, by the mayor, on Friday the 13th inst., [summoned] to appear for the choosing of two burgesses for the Parliament, and the King's writ being read, and divers gentlemen's letters who sued for the place, we desired to proceed to an election; whereupon Mr. White, in the behalf of Robert Read, made this proffer, that if the mayor, jurats, and freemen would be pleased to make choice of him for one of the burgesses, he would do them the best service he could, and, moreover, would give to the poor of the town of Hastings 20*l.* down and 10*l.* a year during his life, besides two barrels of powder yearly for exercising the youths. A friend or two more of his stood up and seconded this motion. The mayor, perceiving the freemen not inclined to embrace it, adjourned the assembly to another day. In the interim Mr. Read and his friends procured divers letters of recommendation from certain noblemen, upon the receipt whereof the mayor presently warned an assembly, which was on the Tuesday following. When we came to the hall the letters were read, and we craved a further time to deliberate on it, and we had a short time given us to return an answer. The question which was propounded

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by the bench was, "Whether do ye approve of these letters? Yea or No." We answered that we did approve of them as letters of recommendation, but not of the man. The mayor made answer again, "He did not send for us now to choose burgesses, but to consider of the letters." And some of the bench threatened that as many as would not give consent should answer it at Dover Castle; whereupon we, the freemen, for the most part went out of the hall to the stairs' foot, where we stayed. To as many as stayed the question was propounded again, "Whether or no do ye approve of these letters?" And some few of them answered "Aye;" whereupon they, without nomination of the man, returned Mr. Read as burgess, as we conceive, contrary to our free election. [*Underwritten, the signatures of 23 freemen. Copy. 2 pp.*]

Mar. 20. 46. Interrogatories for the examination of George Stevenson, servant of George Lilburne, alderman of Sunderland, concerning words which passed between him and John Morrell, a soldier, in Berwick, relative to Scotland:—Did you not reprove Morrell for being a soldier at Berwick, saying "that you held it to be an unlawful calling, and that no honest man would take arms against those in Scotland?" Did you not say that "you were persuaded that those in Scotland were the Lord's anointed?" [$1\frac{3}{4}$ p.]

Mar. 20. 47. Examination of George Stevenson upon the preceding interrogatories. He denies that he had any discourse with Morrell concerning the Scots or the Scotch business, or that he ever disputed concerning the calling of bishops. He says that about two years since he had one of Mr. Bastwick's books, but knows not from whom he had it, nor where it now is. [$2\frac{1}{4}$ pp.]

[Mar. 20.] 48. Interrogatories for the examination of George Lilburne, touching certain seditious speeches uttered by his servant, George Stevenson. [$1\frac{1}{4}$ p.]

Mar. 20. 48a. Examination of George Lilburne, alderman of Sunderland, upon the preceding interrogatories. He never heard of any discourse that passed between his servant, George Stevenson, and John Morrell, concerning the Scots. On his way from Alnwick to Sunderland a letter was delivered to him from Mr. Paul, a customer in the latter town, giving notice that Mr. Triplet had complained to the mayor of Sunderland of some words that had passed between Stevenson and a soldier of Berwick; whereupon the former went presently back to Alnwick to speak with Morrell, who denied under his hand that anything had passed between them but what is mentioned in the paper signed by Morrell. [$1\frac{1}{2}$ p.]

Mar. 20. 49. Interrogatories for the examination of Richard Cottrell, mayor of Sunderland:—"Had you not notice given you by Mr. Triplet of some seditious or rather treasonable words spoken by George Stevenson, servant of George Lilburne, of Sunderland, to John Morrell, a

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soldier, in Berwick? Why did you not take notice of those words as a justice of peace, and examine the business, and proceed therein as became a person in your place?" [1½ p.]

Mar. 20. 50. Examination of Richard Cottrell, mayor of Sunderland, upon the preceding interrogatories. He says that he could not proceed in that business as a justice of peace at that time, because Morrell was gone away towards Berwick, and Stevenson was gone with his master into Northumberland; also, that when he received the information in writing from Mr. Triplet, he told the latter that he ought to have taken it upon oath; whereupon Mr. Triplet answered he would be ready to affirm it any time, but it should not need then, and this examinant replied that he had rather the Lord Bishop should take his oath, because he was a clergyman. [2 pp.]

Mar. 20. 51. The corn chandler's bill for goods delivered to the groom [of Edward Nicholas?]. Total, 7s. 6d. [9 lines.]

Mar. 21. Protection to Hester Rogers, John Rogers, clerk, and Richard Clay, goldsmith, for one year. [Docquet.]

Mar. 21. Warrant to the Exchequer to pay 800l. to Sir Richd. Wynne, Bart., Treasurer to Queen Henrietta Maria, to be by him employed for his Majesty's service. [Docquet.]

Mar. 21. The like to repay 2,000l. to Sir Robert Pye, which sum he lent to his Majesty, with interest at the rate of 8l. per cent. [Docquet.]

Mar. 21. The like for discharging William Lake from any accompt where-with he may be charged by the receipt of 890l., advanced to him for providing a new year's gift for Queen Henrietta Maria. [Docquet.]

Warrant to the electors of the King's scholars at Westminster to admit David Whiteford to the next scholar's place that shall be void. [Docquet.]

Mar. 21. Grant to Sir John Wintour, Knt., and his heirs, of all his Majesty's lands, wastes, and soil in Dean Forest, co. Gloucester, comprising 18,000 acres, together with the wood growing thereupon, in consideration of 10,000l. to be paid into the Exchequer before this grant pass the Great Seal, and of 16,000l. per annum for six years, to commence from 1st April 1640, besides a fee-farm rent of 1,950l. 12s. 8d. payable to the Crown for ever. [Docquet.]

Mar. 21. Notes by Nicholas of the proceedings this day at the Council of
Whitehall. War. Whereas Colonel Wentworth and Lieutenant-Colonel Fielding being appointed to command in his Majesty's army for this present expedition in those several qualities of colonel and lieutenant-colonel, and likewise to have, each of them, a company in the garrison of Berwick, it was this day, upon debate, ordered that they shall take place in the garrison, and march next to the sergeant-major there, according to their several ranks. [=½ p. Written upon the same paper as March 19, No. 30.]

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Mar. 21.

Minute of the discharge from further attendance of Robert Chesland, wine-cooper, and Henry Drury, carpenter, being formerly sent for by warrant from the Commissioners for Saltpetre and Gunpowder. [*See Vol. ccxcii., p. 117. 4 lines.*]

Mar. 21.

Chester.

52. Robert Harvie, Mayor of Chester, to the Council. I have assessed the inhabitants of this city to the ship-money as nearly according to their abilities as I could, the whole amounting to 260*l.* Some of the citizens have willingly paid, but others, as well of the richer as poorer sort, have refused to pay, whereupon warrants were granted by me for levying the same, if necessary, by distress. I have to certify your Lordships that divers of the inhabitants, as well of the richer as poorer sort, have contemptuously resisted the constables in taking distresses for payment of the same, and I am, in consequence, compelled to appeal to you for further directions. [*Seal with arms. $\frac{3}{4}$ p.*]

Mar. 21.

Kingston-upon-Hull.

53. William Popple, late Mayor of Hull, to Sec. Vane. The Lord Admiral, in January last, wrote to the mayor and burgesses of our town, requiring us to accept of a burgess of his propounding for the ensuing Parliament, viz., Henry Vane, Esq., intimating it to be a right belonging to his place, which other his predecessors formerly enjoyed. This not appearing in our memorials, nor the gentleman known who he was, it seemed not to take such impression as otherwise we should have desired. Since you were pleased to second the application by letter, giving us to understand that it was your son, which I then taking notice of, did as formerly, and as my duty bound me, press the noble favours the town had received of his Majesty in discharging the suit against us in the Exchequer, touching the castle and blockhouses, which by your solicitation we obtained. The whole bench was very sensible of our deep engagements, and very desirous to further the business to the utmost. Since when, viz., upon Monday the 16th, the writ for Parliament being come, we met to elect, and there were chosen with full consent Sir John Lister and Henry Vane. The Lord God Almighty give his blessing to them, when they shall meet with that great assembly, in their weighty affairs. This I thought it my duty to signify to you, not perceiving our mayor yet to have given you knowledge thereof, in part to express my thankfulness for your noble favours towards our town in general and myself in particular. [*Seal with device. $\frac{3}{4}$ p.*]

Mar. 21.

My house in Queen Street.

54. Algernon Earl of Northumberland to Sir John Pennington. Not long after the summoning of Parliament I wrote to the mayor and others of Sandwich to grant me the nomination of one burgess for their corporation, viz., Edward Nicholas, whom you know very well, to which I received as favourable an answer as I could then expect, but since that I have been informed that some unworthy person in that town has gone about to calumniate Mr. Nicholas with a false imputation of his being guilty of Popery, thereby to make him incapable of the said election; for the clearing of which untruth I have by my letters yesterday directed to that corporation

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given them full satisfaction, and have by this time taken off that blemish so unjustly imputed. But for his better assistance I desire you likewise to be personally present upon the day of election, which I hear will be Tuesday next, or rather that you would be there the night previous, and represent to them how acceptable this favour would be to me, so as to procure for Nicholas as many voices as you can, which I shall take kindly both at your hands and theirs, and will not forget their request to me when occasion shall require. P.S.—The warrant for your coming in [with the fleet] is stayed a day longer. [1 p.]

Mar. 21. 55. Algernon Earl of Northumberland to Sir John Pennington.
Queen Street. The time for calling in those ships appointed for the winter guard approaching, I have thought fit to remind you thereof, requiring you to cause the ships undernamed to come in, some 14 days before their victuals be spent, to the several ports expressed, giving orders to their commanders to advertise the principal officers of the navy of their vessels' arrival, that timely provision may be made for paying off their complements. In regard you have continued long at sea this year, I am content you come away by land, and send your ship about by your lieutenant and master, to the intent you may have time to despatch your affairs here, and be the sooner ready to go out with the next fleet. *Underwritten,*

55. I. *Unicorn to Portsmouth; Bonaventure to Deptford; 1st Whelp and Greyhound to Chatham.* [1 p.]

Mar. 21. 56. John Taylor to Sec. Windebank. I am exceeding loath to
Tower. trouble your honour, whose favours have always far exceeded my deserts, but, through the long continuance of imprisonment and want, I am compelled to make my miserable state known to you, beseeching you to represent the same to his Majesty. I have lain here these seven months, and, had it not been for the assistance I received from you, both I and my family must have starved. What my fault has been, his Majesty can best in his great judgment balance, but certainly mercy is the highest and chiefest attribute of all his royal virtues and most suitable to his own heart and nature, so merciful and good to all. This thought therefore often confounds my understanding, to consider that a man who has so truly, diligently, and ardently served his Majesty the whole time of his employment, that has so much thirsted after and, next to his soul's salvation, coveted the happiness of his grace and favour, should contrarily fall into his displeasure, and, instead of favour, receive punishment and blame. A master so good, bountiful, and clement; a servant so loving, faithful, and zealous! But I am lost in these thoughts, and must submit myself to God, from whom my sins have deserved a great deal more affliction. [1 p.]

Mar. 21. 57. Sir Thos. Wrothe to Lord-Keeper Finch. I received your
Petherton Park. letter enclosing a petition from the inhabitants of the western part of the hundred of Catsash, co. Somerset, to the Council, together with an order made at a sessions of the peace in the same county; in

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which petition the said inhabitants complain that I, contrary to this order, have granted forth warrants to levy upon them the present ship-money after the old rates, which they pretend to be most unequal. You require me to render my reasons why I disallow and observe not this order; I did not decline the same, but upon hearing parties interested on both sides, and men of good rank of the eastern part of the hundred who objected against this order, I found it inexpedient for the reasons here stated. I assure you there is no such artifice to make this service intricate and impossible, and to raise disturbance among the vulgar, as by admitting the alteration of ancient hundred rates, except they were generally reformed through the whole county, though I acknowledge they cannot in all respects be exactly observed in these assessments. [2 pp.]
Annexed,

57. I. *Extract of the record of the Wells sessions, held at Ivelchester, touching the assessment of ship-money in the hundred of Catsash above referred to. [Copy. 1½ p.]*

Mar. 21.

58. Certificate of Sir Henry Marten. I have, according to the directions of your lordship's letter, not only called before me the persons of the Eastland Company who were petitioners to the Council, and those against whom they complained, members of the same company, but also some of the chief of the Trinity House, with whom I have advised concerning the inconveniences and mischiefs to trade and the navigation of this kingdom, by employing and contracting with the subjects of the King of Denmark for bringing into this realm the commodities of those parts in their own ships, contrary to the Proclamation of 1629, and divers laws made to that purpose, therein recited, and upon debate there resulted the conclusions here stated. [1½ p.]

Mar. 21.

59. Minute of a letter by Nicholas, forwarding a letter which he had received from Mrs. Humber [see *this present Vol.*, No. 35], who complains very much of the hard measure showed her about his cousin Rives' business, and desires a friendly mediation. [Written upon part of the fly-leaf of a letter directed to Nicholas. ½ p.]

Mar. 21.

60. Account of ship-money for 1639, levied and in the hands of the sheriffs. Total, 3,697*l.*; making, with the 4,511*l.* paid to the Treasurers of the Navy, 8,208*l.* The arrears at this date stood as follows:—1635, 4,536*l.*; 1636, 6,896*l.*; 1637, 16,832*l.*; 1638, 14,078*l.*; no part of which had been paid in this week. [1 p.]

Mar. 21

61. Certificate by the Treasurers of the Navy what ship-money has been paid in since their last certificate upon the writs issued 18th November 1639. Total, 4,511*l.* 9*s.* 2*d.* [½ p.]

Mar. 22.
Ewenny.

62. John Carne, sheriff of co. Merioneth, to the Council. I received on the 10th January the ship-money writ dated 18th November, directed to the sheriffs and mayors of South Wales, to provide a ship of 400 tons, besides tonnage, fully equipped, by the 1st April, at Portsmouth, together with your lordships' instructions, in which

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you conceived that the county of Glamorgan might well bear 1,449*l.*, whereof on the town of Cardiff 60*l.* After this I received another letter from you of the 12th January, requiring me to collect the money and pay it in to the Treasurer of the Navy by the 20th February, which I was unable to accomplish owing to the shortness of the time and the poverty of the country. I then received your letter of the 5th March, and with much ado and great difficulty I have at last levied and sent the money, except the 60*l.* on the corporation of Cardiff, which the chief magistrates have undertaken to forward themselves. [1 p.]

Mar. 22.
Sarum.

63. William Joyce, Mayor of Sarum, to Nicholas. The many good offices already done to our city through your loving respects, now causes me to write to you in my particular about our city's charge, which is concerning this year's ship-money. I have with all alacrity and fair means endeavoured to collect some part thereof, which I shall this week return to the Treasurer of the Navy, being 120*l.* of the sum of 192*l.* imposed on our city. For the residue I have, according to the writ and instructions sent me, granted out warrants, but some of the refusers being men of great quality, the collectors will not by any means venture upon them, whereby, unless I may be relieved by your loving assistance, I shall be constrained either to incur a censure or suffer loss, notwithstanding my duty in that behalf. The names I have underwritten in my certificate, wherefore I desire you to aid me herein, and, so soon as leisure may permit, to think of an answer what may be done with safety. The time of the full return being so near, causes me the more to press for your speedy answer, for the which I desire to be excused. [*Seal with crest.* $\frac{3}{4}$ p.]

Mar. [23].

64. Declaration of the Commons House of Parliament in Ireland, granting to the King four entire subsidies towards the present preparations to reduce his disaffected subjects, the Covenanters, in Scotland, to their due obedience, and declaring to stand by him with their persons and estates, even to the utmost of their abilities, for his Majesty's future supply in a parliamentary way. [*Printed in Rushworth, iii., p. 1100.* $\frac{2}{3}$ p.]

Mar. 23.
April 2.
The Hague.

65. Elizabeth Queen of Bohemia to Sir Thomas Roe. Honest Tom,—When I wrote before, I had little to say; now I have something, for my son is out of the Bois de Vincennes and at Paris, as yet lodged at the Earl of Leicester's house; but when Prince Casimir shall be gone, then he shall have his lodging, and [his expense] be defrayed by the French King, who has sent me a very kind compliment, that I shall now see what he will do for me. I believe all I see, and no more. I cannot send you upon what conditions my son is out, for I have it not yet, but I doubt he has signed something; by the next you shall have all. The Prince of Orange received letters yesterday from the Landgravine, who writes to him that the treaty betwixt the French King and her is fully concluded, and she is to break the truce within 15 days, which makes me prepare to

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send Maurice thither. I am very sorry that the King has given no better answer to Arnheim's proposition, but since there is no remedy we must all have patience, though it troubles me a little, and I fear with you that the Prince Elector will have no small prejudice by it. I more fear the King of Denmark's being Spanish than rejoice at his anger against the French. I fear the one is more cause of the other than the Prince Elector's arrest; the little noise he made when his son was killed makes me think so, but this is only to you, for I make all show of contentment of it that can be, and I hope with you that his sending to this Diet will open his eyes, that he may see their double dealing. I am sure you know Prince Casimir is at liberty, and they have not made the least mention of Rupert, though the Earl of Leicester did press the French upon their promise. I hear you are to be recalled, and am not sorry for it, because I am sure you will be able to do my brother [King Charles] good service in the Parliament, which I pray God may be a good one. I do wish with all my heart you came this way, for I can say what I dare not write; only I dare say none is more your friend than I am to your wife and you. P.S.—I send you a letter for Lieutenant General King. He desired me to send him a letter for the King, that he may deliver it to him; it is only to recommend him to his favour. There is one Colonel Coghern, a Scotchman, who is going to fetch his wife out of Poland; he is a good sensible man, and will see you. I have told him what you are to your master and me. He has a great mind to try what [Thomas] Chambers thinks not feasible; he will go and see, and then return and give account of it; if it be to be done he will do it. [*Dated 2nd April, new style, but endorsed 22nd March 1639-40. Partly in cipher. 2 pp.*]

Mar. 23.
12 at night.
Manor at York.

66. Sir Edward Osborne, Vice-President of the Council of the North, to the Council. In obedience to your letters of the 6th present, touching the levying of 200 men out of this county, I summoned to York all the Deputy-Lieutenants who were able to travel, with as much speed as the great distance of their several habitations could permit, who, meeting on Wednesday the 18th, desired time till the 23rd to consider of your directions, at which meeting all of them except myself agreed to write the enclosed letter to your lordships, and resolved to forbear levying either the men or money required, until your further pleasures were known in answer to their letter, some of them alleging divers precedents of letters from Queen Elizabeth and James I. and the Privy Council of those times, wherein repayment was promised of the moneys levied and disbursed in services of this nature. I urged the importance and present necessities of these levies, which I conceived with safety could not admit any delay, and was willing to have joined with them in an humble remonstrance, so that the service might be presently put in execution, not doubting but they would receive all reasonable and fitting satisfaction; but their resolutions being settled not to move in this business before they received your further directions (which for my part I did not approve) I forbore to

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subscribe their letter, but shall humbly desire a return of your lordships' pleasure to them with all convenient speed, in regard both myself and divers other the Deputy-Lieutenants of this county, being elected to serve at the ensuing Parliament, shall be very shortly upon our journeys towards London, and I doubt the remainder, being only a few in each riding, will be somewhat fearful to proceed without the joint consent and assistance of all their fellows, unless you are pleased to insert some directions in your letters to that purpose. [Seal with arms. 1 $\frac{3}{4}$ p.] *Encloses,*

66. 1. *The Deputy-Lieutenants of Yorkshire to the Council.* We have met and advised of such things as are contained in your letter of the 6th March, whereby is required a levy of 100 foot soldiers out of the north and east ridings, and as many out of the west, the same to be supplied with coat and conduct money at the country's charge to the place of rendezvous at Berwick, according to the precedent of former times upon like occasion of service. It appears to us by former precedents that these moneys have been always repaid to the country by the King, but of this we have no promise or assurance in your letters. We beseech your lordships' excuse and pardon, as well for our own safety as the ease of the country, for forbearing to levy these supplies of men and money until we shall receive further directions from you; likewise that you will take into your grave considerations the last year's vast and great charge to this county. To the intent his Majesty's service be not prejudiced or delayed, it is the unanimous request of us all that you will vouchsafe a speedy answer to this letter. Thirteen signatures. March 23, York. [Seal with crest. 1 p.]

Mar. 23.
Office of
Ordnance.

67. The Officers of Ordnance to the Council. According to your directions signified the 16th instant [see Vol. cccclvii., No. 112, 1.] by Mr. Nicholas, we have with the assistance of divers gunmakers and armourers viewed the pistols, carbines, and cavalry arms contained in a list certified by Captain Wm. Legg [see Vol. cccclvii., No. 112] belonging to Sir John Suckling, and now remaining with Warner Pynn, gunmaker, and William Cox, armourer, and finding them to be of several bores and lengths we have caused the gunmakers to distinguish them with their number, condition, and prices, and the like for the cavalry arms, as may appear by the gunmakers' enclosed certificates. We have not made proof of any of these pistols and carbines, neither will Mr. Pynn admit thereof, alleging that as they have been already used in the King's service he ought not to run the hazard of another proof, but we cannot learn that they ever endured the King's proof. [$\frac{3}{4}$ p.] *Enclose,*

67. 1. *Certificate of Christopher Fell and John Wallis, gunsmiths, of the number, condition, quality, and value of such*

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carbines and pistols belonging to Sir John Suckling as are remaining in the hands of Warner Pynn. Total value, 200l. 8s. 21st March 1639-40. [1½ p.]

67. II. *The like certificate by Henry Crouch of the light cavalry arms in the hands of Wm. Cox. Total value, 133l. The rest of the arms, expressed in Capt. Legg's list as remaining in the hands of Wm. Cox and Richard Wright, have been surveyed by Mr. Loope, at the command of the Earl of Newport, who will deliver the Lords an account thereof. 23rd March 1639-40. [¾ p.]*

Mar. 23.

68. John Nicholas to his son, Edward Nicholas. There is no sending anything by the carrier except you see it in the cart. Your sister, Mrs. Ryves, hearing I had been in some extremity, came on Saturday last to see me, and, being detained by the snow, was here when yours with the widow Humber's letter and the note she sent you arrived, which I read to her. Whereas you write there is now a tender of peace, she willingly embraces it, and will accept what end to this business you shall think fit. It was their own fault that any suit was commenced. Family matters. [*Seal with crest and arms. 2½ pp.*]

Mar. 23.
Whitburn.

69. Thomas Triplet to Archbishop Laud. You have joyed my very heart in hearing my poor brother [Samuel] report how wonderfully kind and gracious you have been to him, in sending such a message to his master by him. I confess that my second letter [*see Vol. cccclviii., No. 27*] to your Grace was the longest that I ever wrote in all my life, which quality I know may not be welcome to you, whose time is taken up with numerous and weighty businesses; yet I humbly beseech you to pardon me for it, because I thought, as the case stood, I had taken the best course to please, the business being then in agitation, and myself so far distant. I thought to omit neither substance nor circumstance, neither what I knew nor what I surmised, and all that I might describe the business so fully to your Grace that there might be nothing wanting touching the persons or things. This is the last time, I hope, that I shall trouble you about this business, and therefore I have sent you the enclosed, which is not only an epitome of the whole matter, but a mention of some little addition. I have good reason to pray heartily for your Grace, not only as the great and common patron of the Church of England, but as a particular patron to me and mine. [*1 p.*]

Mar. 23.

70. Order made at a special court of Common Council held the 23rd instant, Henry Garwaie, Lord Mayor, presiding. Whereas by letters from the King and Council it is commanded that for the reinforcing of the garrison at Berwick 200 men shall be pressed within the city, and delivered at Tower Wharf for his Majesty's service on the 26th of this month, there to be imbarqued, the men to be provided with coats and allowed 8d. per diem: This

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court commits the care of providing the coats to sheriff Adams, and directs that precepts be directed to every alderman for pressing the required number of soldiers according to the proportion now set upon the several Wards, and the moneys to be disbursed at present for prest, coat and conduct money to be paid by the City Chamberlain to such persons as the Lord Mayor shall appoint. [*Copy.* 1 p.]

Mar. 24.
Whitehall.

71. Notes by Nicholas of the proceedings this day at the Council of War, the King being present. The Lord-General declared to his Majesty and the Lords that the 2,000 horse will be raised by the 1st April, some having already marched towards Hull, whither Lord Conway, General of the Horse, will go this next week. The Treasurer of the Household having signified that his son, Captain Vane, was raising his troop at Newcastle, the King and Lords ordered that he should remain there with his troop till further order from the Lord-General or the General of the Horse. Sir Jacob Ashley says that there are in Newcastle 500 trained soldiers and 2,000 arms belonging to the King; also that the last year the mayor and aldermen there, promised to have 2,000 men belonging to the coal mines ready to bear those arms upon all occasions, and that there are besides some ordnance ready mounted, so that it would not be easy to take the town but by a surprise; to prevent which, he advises that there should be a troop of horse laid near Alnwick, another about Belford, and a third about Morpeth, as well to guard the passages of the river as to send speedy advertisement to Newcastle upon the approach of the enemy, and that if there be 12 hours' notice given before an enemy come, it will make it a difficult work to take that town, especially if there be an able commander to direct in chief. It is left to the Lord-General to think of a fit man to take care and charge of Newcastle and to put the forces there in order; the same to have power given him to raise the train-bands in Northumberland and Durham, that they may come to the aid of that town upon notice from him. The Master of the Ordnance to give order that some of the keels of Newcastle be in readiness for making of bridges upon all occasions for the use of the King's army. This day the King, with the advice of the Lords, settled the list of the officers, attendants, and artificers belonging to the train of artillery, together with their several entertainments. Resolved that no allowance be given for carriages for the officers of the army till 14 days before the body of the army comes to the general rendezvous, but that the Lord-General may give order for allowance of one or two horses to such captains as shall not be provided with waggons to carry their provisions and baggage. Likewise that the horse appointed for the garrison of Berwick shall be paid at the same rate as the horse belonging to the army, and that the foot there shall be paid till the 1st July according as the army was the last year, but after that date according to the list established for the army now being raised. Ordered that the Lord-General shall give warrant for the like imprests to be given to the physicians of the army for

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making of medicaments, and to apothecaries and surgeons for furnishing their chests, as were given the last year by the then Lord-General's warrant. Also that Mr. Pinckney, commissary-general for the foot, and Mr. Gibbons, commissary-general for provisions for the horse, or such as shall be by the Lord-General appointed to those places, shall have allowed to each of them 16s. per diem, besides allowances for such number of clerks as shall be authorised by the Lord-General. Resolved that every surgeon appointed for the present army shall have allowed to him two mates at 2s. 6d. per diem as the last year, the same to be allowed by the auditor in the list of entertainments for the army. Ordered that the drum-major shall cause all the youths in Bridewell, or in any of the hospitals near London, able to learn to beat the drum, to serve in the King's army for this intended expedition; also it was ordered that all the foot soldiers who are to be dismissed out of Berwick as belonging to the train-bands of Durham and Northumberland shall be allowed for Durham five days' pay, and for Northumberland three days', to carry them home, whereof the paymaster of Berwick is to take notice. Resolved that there shall be a physician and surgeon allowed for the garrison in Berwick with the like entertainments as in the army, and that the auditor shall accordingly list them. George Payler, the paymaster, is to attend the Lord Treasurer and make demand what money he conceives necessary to be presently supplied for payment of the horse and foot belonging to the garrison there. [3½ pp.]

Mar. 24.

72. Memorial signed by George Payler, paymaster of Berwick, for consideration by the Council of War. That the Lords will give instructions concerning the payment of the four troops of horse now upon their march to Berwick. [*Margin*: The horse are to be paid as the horse raised for the King's army, and the foot according to the last year's establishment till 1st July.] That order may be given concerning the dismissal of the five train-band companies out of Berwick, and whether any conduct money shall be allowed them at their return into cos. Durham and Northumberland. [*Margin*: Those that are dismissed to have conduct money to carry them home, five days' or three days', at the discretion of the paymaster.] That order may be taken for supply of moneys, Payler having but 3,000*l.* remaining, which cannot supply the garrison, consisting of 1,300 men and four troops of horse, longer than five or six weeks, there being likewise occasion of great disbursements about fortifications. [*Margin*: To make the demand.] That order may be given concerning a surgeon, the garrison being in great want. [*Margin*: A physician and surgeon to be allowed for that garrison.] [½ p.]

Mar. 24.
Edinburgh
Castle.

73. Patrick Lord Ettrick to the King. I received on Thursday your packet of letters sent by Captain Ridpeth. I have been instant with the Provost to have his answer to your commands, who with the town council advised about it, or pretended to have done so, all Friday and some part of Saturday, when at evening his answer

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was that he would take such a course on Monday morning that the work should go forward according to your Majesty's commands. John Mill desired the Provost to grant his warrant that workmen should not be hindered in the service, by which and other circumstances I find they intend nothing but delays, as having no will to the service, or power in their own hands to further it, the whole affairs of this country being committed to the Government of their Committees now ruling here. It is my opinion that your Majesty may expect no further obedience to any such commands unless they hear you give their Commissioners the contentment they desire. I beseech you not as yet to call Captain Shipman from his employments here, for if there should be occasion of service I might find the want of such as he is, for I find his judgment and behaviour so far exceeding ordinary worth, that I shall account it a great unhappiness to part with him in these times of danger, and seeing I have had good experience already of his care in your service, I doubt not but his presence will not be a little advantageous to your Majesty on all occasions here. Some particulars that I forbear to mention in this letter I have entrusted to the relation of this bearer, Captain Ridpeth, who can inform you that they intercepted him and your letters when he came to Edinburgh, and I suspect they will very shortly be ready to open letters, therefore I beseech you to take it into your serious consideration. I have sent your Secretary of State some intelligence to be presented to you, which I beseech you to take into your consideration likewise. Though the castle be much weakened by the fall of the castle walls, yet I shall use my endeavour to fortify it as well as I can, and without being discouraged thereat, with my utmost ability continue to do all I may to the advantage of your service, desiring to live no longer than I shall in all particulars behave myself as your faithfully obedient servant. P.S.—This present evening two Scotchmen are run away over the walls, so that now I dare not trust any of them, for about seven or eight have run away this last week, and I am not assured of any one that will prove true to your Majesty in this service, which more troubles me than the falling down of the walls or any such disaster. [2 pp.]

Mar. 24.

74. Extracts by Sec. Windebank out of a letter of Patrick Lord Ettrick to James Marquis Hamilton. A committee sits here [in Edinburgh], composed of 12 noblemen, 12 barons, and 12 burgesses, who determine of all matters as they please. They have lately sent letters to all ministers and officers in the several counties to furnish the names of all men able to bear arms, and what arms and ammunition are in the custody of private persons, the same to be returned the next month; their letters conclude with these words, "Because our time is short, our diligence is to be doubled." I am credibly informed that there are in Leith complete arms for at least 30,000 men, and that two ships very lately arrived there with arms and great store of ammunition from foreign parts, and they daily expect further supplies. They have already sent forces into the northern parts

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and it is commonly spoken, that if they once see his Majesty's armies on foot, they will be ready to meet them beyond Newcastle, which I verily believe they will endeavour to do. They have lately intercepted some of the soldiers and others who go forth daily to buy necessary provisions, and who staying out somewhat late, they have pretended to suspect to have been sent forth merely to pry into their doings, and therefore they have been detained as spies; one whereof is not yet released, for they object many things against him to bring him within the compass of their laws, because they know he has been and is very necessary to buy many things for the King's use here. I am informed by divers that they continue their resolution to make this place their first enterprise, though with the loss of many thousands, and the sooner because the castle is much weakened by the late falling down of the walls on both sides of the outworks, about 20 fathoms in either place, which is secured as well as I can by palisadoes. Many of the Scotchmen have lately run over the walls, three or four in one night, most of whom remain in Edinburgh. These I have in his Majesty's name required the Provost to redeliver to me, but am therein altogether neglected, which will be an incitement to others to follow their example, and I now suspect that many will follow when they find their best advantage. When they first brought earth into some yards next to the castle hill, I supposed they intended to build batteries forthwith against the castle, and therefore I questioned their intention, but now I find it only used as a shelter to their courts of guard which they keep at the end of their town to prevent insolencies which might otherwise be committed upon such as bring in daily provisions to the castle, which as yet they hinder not, though they keep timber and such like provisions from me. I have thought best to bear awhile with small offences to prevent greater prejudice, as the hindering me to take in daily provision, which will save the stores here laid in: I also conceive they would be glad that a small provocation may urge me to make the first breach of correspondence, that they might then the better justify their proceedings. I hold it most advantageous to his Majesty that I forbear, as far as I may with the safety of his castle, until I understand his Majesty's further intentions towards them. [2½ pp.]

Mar. 24.

75. Report of the Commissioners for Tobacco Licenses to the Council, made upon reference of the petition of the Patentees [see Vol. ccccliii., No. 71]. We have examined the particulars between John Digby and Christopher Lester, of Stepney, Middlesex, in which business we have made several orders, as may appear by the papers annexed, to which Lester has always opposed himself. Particulars of the matter in dispute, touching the monopoly for retailing tobacco within the parish of Stepney. [1 p.] *Annexed,*

75. 1. *Order made by George Lord Goring and the rest of the Commissioners for Tobacco Licenses, that all such persons as Christopher Lester, of Stepney, shall license under him to sell tobacco in the said parish shall be held unlicensed*

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persons, and proceeded against as delinquents, Edward Pittman having sold the patent in the name of Christopher Lester to John Digby. 24th January 1638-9.

75. II. Commissioners for Tobacco Licenses to the Council. Upon Lord Goring entering into the agency for the tobacco licenses, the patentees, who had taken licenses for Stepney by the Lords Commissioners, came and offered to us to increase their rents from 60l. to 100l., and the like fine, so that they might have the whole liberties of Stepney parish to themselves, and that they might jointly trade together and license all others, unto which we condescended for the better quieting of the business and avoiding of continual complaints, occasioned by their several pretended rights and distinct limits. Accordingly, the patentees agreed amongst themselves that only such persons should be licensed as were approved by the major part, and for the benefit of the whole society. Against these proceedings Mr. Pennington made a combination with the people both to overthrow his Majesty's patents and to undo the patentees, whose insolence was suppressed after several petitions and references on both sides by your lordships. Now, so it is, that Christopher Lester, one of the first patentees, and Edward Pittman, who bought two of these licenses, do combine to wrong the rest of their associates, and, upon pretence of Lester's patent sold to John Digby, do license divers others for their own private interest, to the great prejudice of the rest of the patentees, while Lester himself pretends to account to them, which is indeed but a plot in these times to overthrow the whole. We have examined into the matter, and finding many of them delinquents who only justify themselves by reference to Lester, who has long since sold his patent, we have ordered that none shall sell by Lester's private deputation, and have fined such as combined with him, and have now returned their names to your lordships. Tobacco Office, in Tower Street, 8th Feb. 1638-9. [1 p.]

75. III. Order made by the Commissioners for Tobacco Licenses. Having been much troubled by the differences between Messrs. Digby and Lester, of Stepney, about their licenses for the liberties thereof, we consented to hear the matters in question again. Resolved that Mr. Lester shall take off one of the patents which Mr. Bond and Mr. Davis had, paying the rent of it from Christmas last, and that then they shall proceed in a joint way, and shall do nothing contrary to that which the major part of the patentees shall agree upon, which, if Mr. Lester do discede from, then our former order shall stand in force. If any differences should arise amongst the patentees, it is agreed that they shall refer the same to us, his Majesty's commissioners. Tobacco Office, in Tower Street, 13th May 1639. [1 p.]

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76. Copy of the preceding report of the Commissioners for Tobacco Licenses. Misdated 24th March 1629. [$\frac{1}{2}$ p.]

Mar. 24.

77. Warrant to Sir Thos. Merry and Sir Richard Manley, clerks of the Greencloth, requiring them to swear the bearer, George Whicher, his Majesty's servant in ordinary, to attend the Prince and the rest of the royal children in the place of purveyor of ale and beer in all progresses, winter journeys, and other places where their highnesses shall be from their standing houses, with the same allowance that Lancelot Baxter had during the time he attended in the said place upon his Majesty when Prince of Wales, before his creation. [*Copy.* 1 p.]

Mar. 24.

Chard.

78. Sir Thos. Wrothe, sheriff of Somerset, to Lord Keeper Finch. In a former letter I sent you the petition of the inhabitants of the western part of the hundred of Catsash, Somerset [*see Vol. ccccvii., No. 39*], as also the order of sessions thereupon [*see p. 570, No. 57, 1.*], with my reasons for declining to obey the same. Whilst attending the judges at Chard, I received the enclosed certificate, signed by divers of the eastern part of the said hundred, and wait to receive your pleasure herein. I find so much delay and unwillingness in this place to pay the ship-money, that it seems to me impossible in my year of office to get in half that which is laid upon this county, and much less the whole sum in so short a time as is required, notwithstanding my daily labour and care. Last week I returned up 200*l.*, which will be paid to the Treasurer of the Navy about the 6th of next month, of which sum 95*l.* was my own money, and were I able to disburse more I had sent it, so desirous am I to do the utmost I may in this service. If the Lords will favour me with patience I hope, by degrees, to give better satisfaction. [*Endorsed as "Received 29th March 1640." Seal with arms and crest.* 1 p.]

Mar. 24.

Bishop's Palace,
in Gloucester.

79. John Allibond to Dr. Peter Heylin, a prebendary of Westminster and chaplain in ordinary to the King, at his lodgings in the Little Cloisters at Westminster. Let me commend to your notice the following passages relative to the choice of the knights for the county of Gloucester, so far as it has hitherto proceeded. To omit all those who were *avidis sed minores*. The general accord of the gentry, who, you know, usually sway the plebeians, at the last assizes pitched upon Sir Robert Tracy and Sir Robert Cooke, lately in the High Commission, about Tetbury Church, the one a Cotswold gentleman and the other of Highnam, near Gloucester, and in behalf of these two *signatæ tabulæ, dictum feliciter*, there passed faithful promises on all sides, nor was there anything else expected but mutual assistance from one to the other. The day designed for the election was Wednesday last, and on Tuesday night appeared fair troops on both sides. Sir Robert Tracy, then not well at ease, and under the physician's hands, building upon former agreement, and not so much as dreaming of opposition, made bold to favour himself, and kept at home; but in his behalf, and that the election might not want state, credit, and countenance, divers gentlemen, of their

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own accord, presented themselves with their tenants and retinue, amongst whom Mr. Dutton was a chief. On Wednesday morning, when it was generally expected that the election should be a matter of ceremony and formality, and be both speedily and unanimously despatched, suddenly there was set up, and forcedly, as he pretends, Mr. Stephens, of Eastington, for opposing of the ship-money, in which cause he had suffered, having been put out of the commission of the peace, and with an opinion of much zeal towards the zealous. Sir Robert Tracy's side proceed *bonâ fide* according to the tenour of their former agreement, and in the second place nominate Sir Robert Cooke, who had either charmed his party so coldly as that he had left them indifferent to any but himself, or else, which is vilely suspected, had given some underhand intimations for his partisans otherwise to dispose of themselves, whether this way or that way I cannot resolve, but this I am sure of, that I myself both saw and heard some of his tenants busily stickling for Stephens, a shrewd presumption that their leader has been either languid or double in his dealing. *Hem fidem Puritanicam!* By this means Sir Robert Tracy brought at the first day's polling 800 voices to Sir Robert Cooke, and received not 20 back. These proceedings exasperate Dutton and his accomplices, while Tracy's side challenge Cooke of infidelity, Dutton sparing not to tell him openly, that for his sake he would never more trust any man that wore his hair shorter than his ears. Cooke, on the other side, professes his sincerity, and that he had dealt with them as far as they would be dealt withal. Another, Mr. Stephens, of Sodbury, late sheriff, and of fair esteem, but a favourer of the pretending holy side, being likewise charged by Mr. Dutton of ungentlemanlike dealing in violating his promise and deserting the compact to which he had formerly subscribed, had nothing to excuse himself, but that upon a rumour that Sir Ralph Dutton would show himself in the business, he had altered his determination, but being further urged why, in regard Sir Ralph did not at all move, he did not adhere to his former engagement, he could not so fairly satisfy that objection, nor salve his wavering, as an entire man ought to have done. *Hem fidem Puritanicam!* Further instances of Sir Robert Cooke's double-dealing in this election, and of the taunts and *dicteria* banded about on either side. I believe, in earnest, we shall have but bad blood between the gentry, and scarce find for the future other ways than a divided bench of justices. And, as Sir Robert Tracy is apprehensive of foul dealing and undermining practices against him, so, if we may believe the other side, he has not been backward to make his revenge by some not so direct courses; for, having the advantage of the sheriff's power, who is a relative of his, he has not only put back divers of Stephens' voices, but adjourned the court, and continued the election to Winchcomb, a poor beggarly town, conveniently situated for his own, but inconvenient for the repair of Mr. Stephens' supporters. This course Stephens protests against, and, as I hear, intends to remedy by complaint in Parliament. The election here continued from Wednesday till Saturday, in the afternoon, at which time Tracy rode on the fore horse by

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above 100 voices. What they have, or what they intend to do further in the business I, as yet, know not; but it is conceived that the election will not be pronounced nor returned so long as a voice for Sir Robert Tracy is to come in, and yet the general cry goes altogether for Stephens. I hold it worthy your notice that those who first rolled this unwilling stone were principally men of our own coat, a pack of either deprived, silenced, or puritanically affected [clergy]men. There were these whom I observed for most earnest sticklers in this so holy a cause: (1) Fox, of Tewkesbury, a deprived but wealthy man, who had two sons, the one named Help-on-High, the other Sion-build, brought up at Edinburgh; (2) Geery, of Tewkesbury, the canny mumping fellow with the red head, whom you sometime knew at Magdalen Hall, likewise suspended and deprived; (3) Marshall, of Elmore, who lives under Sir William Guise, a great favourer of that side, and practises conformity more out of awe than love; as do also (4) Stansfield, a lecturer at Rodborough; and (5) Guillian, of Hatherley, a very popular man, and of parts sufficient, only he is guilty of three small crimes,—pride, covetousness, and contention; (6) Prior, of Sandhurst, an ordinary law-driver, and strongly puritanical; (7) Baxter, of Forthampton, a forward young man, who spares not to excuse, if not to justify, the Scots in their holy proceedings; (8) Whynnell, our learned lecturer at Gloucester, who, last summer, made an expedition into Scotland for Bachelor in Divinity, but was fain to return as wise as Waltham's calf, and so still continues; (9) Jones, of Tidrington [Tiddington?], a man in whose very face one may read schism and malice; (10) Workman, the younger, a man likewise suspended and deprived of a cure that he had; and, as I am informed, (11) Stubbes, Sir Robert Cooke's chaplain, of the right strene, *cum multis aliis*. For laymen, two especially of the town were observed to be active, both strong and rank Puritans, Nelmes and Edwardes. These and the like are the hands that have builded as much of this Troy as is up. I have been the more punctual in these relations, because I have heard it observed by a judicious man that there is a kind of cunning underhand canvass of this nature, the greater part of the kingdom over, which, if it be true, we are like to have a brave Lower House of it, when such instruments shall be chosen out, that if their hearts were known, affect nothing more than to hold the King's nose to the grindstone and ruin the Church. But it is time now to leave you to your more serious affairs, unless you will have the patience to understand that this day the burgesses for Gloucester are to be chosen. There are four competitors:—(1) Alderman Singleton, who has very well deserved of the town for his care and industry in his mayoralty, at what time the sickness was in Gloucester; (2) Alderman Pury, sometimes a weaver, now an attorney, whom, I think, nothing has so much endeared as his irreverence in God's house, sitting covered when all the rest sit bare, whose cause is earnestly promoted by the aforesaid Nelmes and Edwardes; (3) Mr. Lenthall, the recorder; but he, they say, is chosen for Woodstock already; and (4) Mr. Harry Brett. Our clerks for the convocation are

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not chosen till the Thursday before Easter. The candidates are:— (1) Dr. Baber, the Chancellor; (2) Dr. English, one of our prebends; and (3) Dr. Temple. I must confess that I, my unworthy self, had much encouragement and earnest solicitation to have stood up; but, for some private reasons, I was not willing to apprehend the love nor condescend to the desires of my friends. There is talk also of an underhand canvass for Mr. Mew, rector of Eastington, where Mr. Stephens is patron. He was sometime a lecturer in London, and, I believe, stands affected as most lecturers do; but, as they brew, so let them bake. Now I must want paper as well as modesty if I proceed any further. [*Endorsed as "Received 28 March 1640." 3 pp.*]

Mar. [25].
Whitehall.

80. Warrant to Sir Charles Caesar, Master of the Rolls, to swear and admit some person not named into the place or office of one of the six clerks of the Court of Chancery, upon surrender of the same by William Carne, Esq. [*Blank form. ½ p.*]

[Mar. 25].

The like warrant to the Attorney-General to prepare a grant of the reversion of the office specified in the preceding warrant to such person as the grantee shall nominate, in such manner as the reversion was formerly granted by patent to William Carne. [*Written upon the same paper as the preceding. Minute. ½ p.*]

Mar. 25.
Edinburgh
Castle.

81. Patrick Lord Ettrick to the King. Within an hour after I had finished your Majesty's letters enclosed of the 24th inst., I received by Lord Traquair's servant yours to me of the 19th, with one to the Provost of Edinburgh, which I forthwith sent to him, and required his speedy answer. I find the town of Edinburgh only strives to delay time for their own advantage, and that your Majesty will be no further obeyed in any commands of this kind, for they have resigned their whole power and authority into the hands of their Committee, but having received so strict commands from your Majesty I shall as strictly obey them. I have this instant forbidden them to bring in any more earth to any yards near the castle hill, and have required them forthwith to raze all works or defences of what nature soever which have lately been begun. This I conceive they will not do, and therefore to-morrow I intend to take my best advantage to batter them down, leaving the success thereof to Almighty God and your sacred Majesty's gracious consideration as a matter of most high consequence, for I know that thereupon your Majesty may expect from them nothing but open hostility, and that they will use as speedy means and as great power as this kingdom can afford to gain this castle, accounting it of great consequence to their present designs, in which they are most desperately resolute and very forward. All that I shall therefore beg of you at this present is to consider seriously how much this place is weakened by the late fall of the walls, and in how ill state it stands by the distrust I have of the Scotchmen here. I assure your Majesty as long as I have life I shall with my

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utmost power defend my charge and your honour. [*Endorsed, "Received the 29th." 2 pp.*]

Mar. 25.
Charlecoate.

82. Sir Thos. Lucy to Sec. Vane. I have received commandment from the Council to give my personal attendance for some reasons to be communicated to me at my coming up. The truth is, for this 10 weeks I have been so indisposed that I have scarcely peeped out of my chamber, and a short journey of four miles on Monday last to Warwick completely distempered me, so that I find without much danger I shall not be able to endure so long a journey. I pray you therefore, if occasion be offered, to move the Board that I may be dispensed with until I may undertake the journey with probable safety; but if I must come, it is fit, though I had a hundred lives, I should hazard them all to testify my obedience. [*Seal with crest, broken. 1 p.*]

Mar. 25.
Berwick.

83. Sir Michael Ernle to Sec. Windebank. I have received order from the Lords to make provision for four troops of horse which are to come hither. I have given order to the mayor to provide lodging and stable room, and have written to the Deputy Lieutenants of this county to send hay and straw, for which they shall receive ready money, at reasonable rates, for here they are not to be had at any price. If you think fit, it were better that part of the horse were quartered upon the river in some villages, for so many will be very ill accommodated here. The Scots have armed the borders, and officers are appointed, every one his special charge, and are exercising the men daily, but no number are anywhere drawn together. The townsmen keep guard in the night at Dunse, Kelso, and Jedworth. It seems they have good intelligence, or at least they say so, for they report that they know the King's [intentions] towards them as well as he knows himself. I hear they are very busy at Edinburgh upon some design. I expect to hear from thence to-morrow, and will inform you accordingly. *Endorsed, "Received the 29th, and then answered."* [*Seal with arms. 1 p.*]

Mar. 25.
Surfleet in
Holland.

84. George Little to Robert Read. I pray you let me know whether Sec. Windebank has disposed of his ground in the New Level of Lincolnshire, because otherwise I shall endeavour to procure sufficient tenants for it according to my duty. I spoke with Sir William Killigrew at his last being in the country, who at first told me he intended to become tenant for all his ground for one year, and afterwards to exchange with him for ground in the other Level, so that I believed he had fully concluded it, which made me put off some good and able tenants; but coming to him a second time, he told me he would not by any means meddle with it for some private causes to himself best known, but wished me to let Mr. Connie have it, as he had been formerly commended to Sec. Windebank for a tenant. Now Mr. Connie tells me he will not meddle with it for fear of displeasing Sir William, although I resolved him the certainty of Sir William's resolution, so that, for

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anything I know, it is free for any man to hire, which I desire to be resolved, because Lady Day, the time for letting of land, is at hand. P.S.—Please deliver the enclosed to Robert Long, Esq., by whose servant you may send me a line into Lincolnshire against the 1st of April. [1 p.]

Mar. 25.
Orton.

85. Sir Philip Musgrave and Sir Henry Bellingham to Henry Lord Clifford. In accordance with your letter importing directions from Sec. Windebank, and your warrant to the under-sheriff for examination of several persons concerning treacherous words supposed to have been spoken by Roger Moore, we appointed this day a meeting at Orton, where all the deponents formerly examined were before us, except Thos. Baines, who is infirm. These are all the witnesses we conceive to be material, they being the only persons present when the words were spoken. We have re-examined them upon oath, and hereinclosed return their several depositions, which differ nothing from their former ones; some, fearing lest they should be trapped, refused to say anything, but referred themselves wholly to their former depositions. Not finding any new matter against Moore we thought it not expedient to examine any other witnesses. [*Seal with arms, broken.*] *Enclosed,*

85. 1. *Depositions of John Bayliff, John Moore, William Ward, Richard Foster, and William Baylye, of Middleton, co. Westmoreland, taken at Orton the 25th March. [3 pp.]*

Mar. 25.

86. Statement presented at the Council Board, signed by Sir Thomas Holte, relative to the disposal of his estate, and his endeavour to induce his eldest son to petition the King that he would permit Sir Thomas to confer his degree of baronetcy upon one of his sons-in-law or his younger son after his decease. Engagement made by Sir. Thos. to the King at Woodstock about nine years since, "that he would do no act that should tend to the prejudice of his son's inheritance." [3 pp.]

Mar. 25.

87. Bill signed by Hugh Campion of disbursements for household charges. Total, 198*l.* 5*s.* 11*d.* [1 p.]

Mar. 25.

88. Certificate of the officers of Ordnance, specifying the allowances, charges, and other disbursements to the several persons named, employed in the delivery of the 500 barrels of powder designed for the King of Spain at Gravesend, the Downs, Deal, and Dover, in the months of September and October [1639] and March [1639-40]. Total, 216*l.* 15*s.* [1 p.]

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Mar. 26.
Whitehall.

1. Minutes by Nicholas of business despatched this day at the Council of War. Two estimates by the officers of Ordnance were presented to the Council,—the one, dated March 21, of the charge for making 120 pieces of cast iron of fine metal turned for furnishing some of the King's smaller ships, from which divers pieces of brass ordnance have been taken for supply of ships of greater burden, the whole charge being estimated at 5,220*l.* 16*s.* 8*d.*; the other estimate, dated March 20, is of the charge of making 120 pieces of iron ordnance for furnishing merchant ships to be employed in the King's service, viz. 4,335*l.* 8*s.* 4*d.*, both of which estimates were approved by the Lords, and Mr. Browne, his Majesty's gunfounder, was thereupon ordered to attend the Lord Treasurer and Lord Cottington, who are to accommodate him with money or assignments for performance of those services, of which the making of the 120 turned pieces to have precedence. The certificate of the officers of the Ordnance concerning Sir John Suckling's arms for cavalry being read, the Lords resolved not to have them bought for the King's service, there being already a sufficient proportion of arms bespoken, and Sir John's pistols being not of a fitting bore. The Company of Gunmakers of London having promised to increase the number of muskets contracted for by the end of May to 10,000, it was ordered that Sir Job Harby should instruct his factor to provide only 5,000 muskets in foreign parts, being 2,000 less than was at first ordered. The Earl of Newport to retrench 80 of the number of draught horses demanded for the train of artillery, so that the whole number should not exceed 1,000 draught horses, which the Earl, being present, undertook to perform. The Earl to send for South, the cutler, to know what number of halberds he would undertake to supply, and at what rates, also where more might be had, before the end of May, and to certify this Council with all expedition. Ordered that the list of the officers, attendants, and artificers of the train of artillery, together with their several entertainments as agreed upon at the last meeting in his Majesty's presence, should be sent to the auditor to be listed accordingly. [2 pp.]

Mar. 26.

2. Thos. Phillips, sheriff of Merioneth, to the Council. According to the King's writ and your instructions, I have with all diligence and care promoted the service of ship-money within the time limited, and have fully effected the same, but could not according to your appointment pay it in to the Treasurers of the Navy upon the first of April next, by reason of my infirmity of age, and the danger of carriage of so much money, viz., 416*l.*, but which will be paid in on the 20th April by bill of exchange from John Prowde and Adam Webb, two drapers of Shrewsbury. [$\frac{2}{3}$ p.]

Mar. 26.
At 2 P.M.

3. Sir Michael Ernle to Sec. Windebank. I am informed that letters are newly sent to the ministers and officers of the several counties to make known what number of men are able to bear arms, and what arms and ammunition are in the hands of private persons,

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to which answer is required by the middle of April. I hear forces are sent to the north. In these parts the country has warning to be ready when occasion shall serve, but as yet they have no further order. They (the Covenanters) say that they have arms and ammunition at Leith for 30,000 men, but that is mere bragging. I know they have lately received divers arms from foreign parts, but nothing near that proportion. They report that when the King's army shall march they will meet him between York and Newcastle, but this is only discourse, for I have heard from very good hands that they strive to put a great face upon the business, but were never so much out of countenance as they now are. I was informed by General Riven [Lord Ettrick] that four or five Scotchmen have run out of the castle over the wall in the night, and the Provost has refused to send them back, although they remain in the town; he tells me besides that he supposed that when they first brought earth so near the castle they intended to have raised batteries against the castle, but now they pretend it is to keep the townsmen from doing insolencies to those who bring provisions to the castle, which I confess I cannot understand, but that might be otherwise remedied. They suffer provision to come quietly in as yet, but no timber or anything that may serve for the better strengthening of the castle. I suppose General Riven has informed you of all things in his last letters; howsoever, I thought good to inform you thus much. *Endorsed*, "Received 30th at 10 in the morning." [*Seal with arms.* 1 p.]

Mar. 26.

4. Deputy-Lieutenants of co. Northampton to William Earl of Exeter. We conceive it to belong to the duty of the place we hold under your lordship to give you knowledge that at the election of knights to be sent to Parliament for this county some turbulent spirits by undue practices caused great clamours amongst the multitude to be raised against the authority of the lieutenancy, the authors whereof we should have endeavoured to have sifted out and returned to you but that the Lords who were then present have taken the care thereof upon themselves, and very speedily intend to certify them with such information as they have taken against them to the Council, where we hope you, as occasion requires, will stand up to maintain the reputation of your servants, who are ready to approve ourselves to have proceeded in the execution of our places, as well with pains and diligence as with moderation and faithfulness to the service of his Majesty and the country. We crave pardon for this boldness till we shall wait upon you very shortly in person to give you a more full account of all particulars. [*Seal with crest and arms.* 1 p.]

[Mar. 26 ?]

5. Note by Nicholas of the provisions of munition which are to come from Flanders from Arthur Aynscombe, the correspondent of Sir Job Harby; viz., 5,000 muskets, 2,500 corselets for foot, 2,500 pikes, 1,500 harquebusiers' arms complete, 650 cuirassiers' arms complete, 2,150 pair of pistols, 500 saddles with bridles, stirrups, &c., and 30 tons of match. [$\frac{1}{2}$ p.]

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[Mar. 26?]

6. Mem. by John Earl of Annandale touching his claim to the advowson of the rectory of Wigan, in co. Lancaster. The last year, after the King's pleasure signified for my grant [of his Majesty's interest in the rectory and church of Wigan, *see preceding Vol. of Cal., p. 54*], which then [26th March 1639] should have been expedited, divers persons were desirous to bargain with me, and I was offered by one five years' purchase for it, whereof I should have received three immediately, and the other two upon the death of the Bishop [of Chester], which sum would have amounted to 5,000*l.* [$\frac{2}{3}$ p.]

Mar. 26.
Freshford.

7. John Ashe to Nicholas. Our constables of Bath Forum, co. Somerset, are now summoned to appear before the Lords. I believe their innocency will move your pity towards them. The case is this: The sheriff requires them by his warrant to call together the inhabitants of that hundred, and to make an assessment for ship-money, which they accordingly did, but viewing the warrant, and finding that they were overcharged 20*l.*, they therefore omitted making of the assessment, and informed the sheriff of his mistake. The constables and inhabitants signified their readiness both to make the assessment and pay the money in case the sheriff would charge them with their due proportion, which answer they conceived to be so fair and mannerly that the sheriff could have no cause to do them the least unkindness. The constables are now sent for by a messenger. Let me entreat you to right the great wrong done to us by the sheriff, our constables being poor, weak men, not able to speak for themselves. I hope the Lords upon proof of their innocency will award the sheriff to pay their charges; your or your servants' expenses in that behalf will be readily paid by the hundred. The year that Sir William Portman was sheriff, he, for the benefit of Wellow hundred, took off 40*l.* and laid it upon Bath Forum, which caused us to complain to the Lords, who referred the matter to the present Lord Keeper, and he, having heard our just complaint, promised that in future we should not be charged with more than our just proportion. I presume he can remember it. Neither that overcharge by Sir William Portman nor this of 20*l.* by the present sheriff is agreeable to any public rate in the county, but is a mere charge laid upon us at the will of the sheriff. [*Seal with crest and arms, broken.* 1 p.]

Mar. 26.
Wadsley.

8. George Purefey, sheriff of Berks, to Nicholas. I wish the office of sheriff had fallen this year upon some more able and experienced man, that so the King might have been better served, and I freed of a great deal of trouble which now I am like to undergo, more than other sheriffs have done heretofore in execution of the writ of ship-money. Truly, sir, I meet with such obstacles I know not which way to turn myself; the more I press the speeding thereof according to the Lords' direction, I find the work nothing at all advanced. For in the first place there are many townships which have made no return at all of any assessments; secondly, those that have, return so much short of the sums imposed by me,

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that, if I should accept thereof, a fifth of the sum required of this county would be wanting; thirdly, I can receive from the corporations neither money nor certain answer at all; fourthly, where the returns are perfect and collectors appointed, they return answers from some who have no money, and from others who will pay when they have it, and the like. Truly, sir, to deal plainly with you I conceive the main ground of the slackness at this present more than heretofore is the expectation they have of the Parliament, that it will be represented to the King as a grievance, whereby they hope to obtain a remission thereof. I beseech you do me all the good offices you can with his Majesty and the Lords in case they should be displeased that there is no more expedition in this service, and that you will be pleased, considering the premises, to advise me how I may best comport myself in this business, and your favour shall be always acknowledged. *Endorsed by Nicholas*, "To be read. This was read, but gives no satisfaction." [*Seal with rose.* 1 p.]

Mar. 26.
The Golden
Fleece, in
Little Britain.

9. Certificate of the Commissioners for gold and silver thread to [Nicholas]. If you please to move the Lords for a warrant for apprehending Godfrey Poole, George Ballard, and David Waddington, who have been employed in the late working of "the Symons," upon their examination such others as have been offenders and partakers with them in this disorder may be discovered, which we conceive fit for his Majesty's service. [$\frac{1}{2}$ p.]

Mar. 26.

10. Certificate of the Company of Gunmakers of London. We have delivered into the King's store 4,280 muskets, and have 2,000 more proved, which will be delivered by Easter. By the end of May we can increase the promised number of 6,280 to 10,000, after which time we will supply above 2,000 muskets monthly if needed. We have in hand 500 pair of pistols, marked, part whereof are of the old bore, and the residue of the new; also 500 carabines, all which will be finished by the end of May. [$\frac{3}{4}$ p.]

Mar. 27.
London.

11. Sir Richard Cave to Sir Thos. Roe. Yesterday I received yours of the 10th inst. I intended to have sent you a copy of the letter which I wrote this day to the Queen of Bohemia, but it is very late, and there is no great matter in it, more than that the King is already very well satisfied with the Prince Elector's proceedings, at least in outward appearance, and I believe will approve of his reasons, which I received only yesterday. I am to have audience to-morrow morning. I have been very busy all day, and have scribbled off the Prince Elector's letter, which goes by two of his gentlemen, who begin their journey for Paris in the morning. I must defer to write to my lady by the ship which within four or five days will be ready for Hamburgh with arms. You are named for the office of Comptroller of the King's Household, but Sir Peter Wiche has offered 6,000*l.* for it, which shows that some money must be disbursed, yet not above half that sum is expected from you. Thus goes the story, which I believe you have had from other hands before I knew thereof. I pray God send you health and well home. If my wishes may take place, you shall be very happy according to your own heart's desire. [1 p.]

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Mar. 27.
Cornwall.

12. Richard Trevill, sheriff of Cornwall, to Nicholas. I have received several commands from the Lords for levying the ship-money, in which service I have used more than ordinary diligence, whereby I am condemned to be much more forward than former sheriffs in not giving time to the country to provide money, especially the sum demanded being proportionably far greater than other counties, and this last quarter of the year a time when little money is to be raised in these parts, the general inhabitants being labouring tanners and fishermen, who get very little in the winter season. The people protest that they have no money, but as soon as they can get it they will pay it; notwithstanding I have levied some parcel thereof, which I will pay in by bills on London, unless Sir Wm. Russell has employment for the money in these parts. I entreat that I may not be straightened of the time for payment of the residue allowed to my predecessors, for there shall want neither care nor diligence in me to effect so weighty a service. [*Seal with arms.* $\frac{3}{4}$ p.]

Mar. 27.
Tring.

13. Edward Bauge to John Driver [under-sheriff of Herts]. I have commissioned my brother to pay in the [ship]-money to Mr. Nicholas within this week, which I trust he has performed. I pray remember my service and love to Nicholas when you shall see him. [$\frac{2}{3}$ p.]

Mar. 27.
Chester.

14. Thos. Murden to Sir Thos. Smith, at the Naked Boy, in the Strand. Family matters. The carrier who is intrusted with the plate and other things you wrote for will be at Boston's Inn, in St. Lawrence Lane, upon Thursday next. Upon Monday last yourself and [John Ratcliff], recorder [of Chester], were elected knights for this city. There was no opposition as it fell out, but it was well stickled, for upon Tuesday sennight there was a jealousy raised by Mr. Francis Gamul's friends that the recorder had an intention "to loosen the causey" in this Parliament, so that here was new labour made to have preferred Mr. Gamul in the recorder's place, but Sir Richard Grosvenor, the chancellor, and some others mediated to quench this spark, and received so good satisfaction from the recorder, that they desisted and agreed to choose the recorder. Yet was he so jealous of the truth of this reconciliation, that he sent to me and to other of his friends to send our tenantry on Monday in to give their voices, and so I did. When it came to the point there was a very free election of yourself and the recorder without any dissent, but only the prattling little Bennet, who named my cousin Throp, and Mr. Walley and some four persons more scattered their voices on my old cousin Gamul; these were all the dissentients. For the county the labour is indefatigable, and the contestation grows high. Sir William Brereton and Sir Thos. Aston were both lately with me, and both of them are pretty confident and full of reproaches against the two popular patriots, Sir G[eorge] B[oothe] and Sir R. W., neither of whom will appear at the election, it is said, or, if they do, they are sure to be boldly accused in the face of their country as adversaries to the peace of it. [John] Lord Savage, [now Earl] Rivers, and Lord Cholmondeley are most per-

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emptorily absolute for the baronets and against the esquires. I am sorry in my heart to see the preparations of discord, and I sit down in silence to see what God will do in the ambition of these men, who all joined in their own profit where there was a bare pretence of a public good, and now rend the bowels of it to advance their own interests and popularity. The Lord Strange, who takes the barons' part, though very temperately for aught I can discern, sets forward towards London upon Monday next. My lady and the Prince follow after on the Monday after, and lodge the first night at Cholmondeley, though the Lord Cholmondeley will be then in Chester. My wife intends to write herself, and therefore I have only my own affectionate and faithful service to you and your lady. P.S.—I cannot but blot the case of my letter to tell you our greatest news, that yesterday an apprentice of Alderman Edwards, named Eaton, robbed his master of 200*l.* Our assizes will be held the week after Easter, and then, I am yet afraid, I shall be compelled to see you at London. Since I wrote this letter here are letters this morning both from the King and Council for raising and furnishing 100 men in this county, to be ready before the 8th April. 28th March 1640. [*Seal with arms, broken. 5 pp.*]

Mar. 28.
Edinburgh
Castle.

15. William Roberts to Sec. Windebank. The hourly employments I have had by reason of these late troubles here, and the present haste I have to despatch so many letters for my lord, will not at this time give me leave to yield you as large an account of passages here as in my last letters. I beseech you to receive this my excuse until I can obtain a fitter opportunity to express my true desire to obey your commands. [*Seal with crest and arms. 1 p.*]

Mar. 28.

16. Lawrence Squibb to Mr. Davies, secretary to Lord Keeper Finch. I cannot get a copy of the warrant you told me of; I have therefore prepared the warrant according to my apprehension, which I desire you to peruse, and if the Lord Keeper and yourself do not approve it, I know no man better able to set it right than Mr. Beale, the Attorney-General's Clerk of the Patents. When you have made it according to your mind, I pray return it, that I may get my lord's hand to it. *Prewritten,*

16. I. *Draft of a warrant to the Attorney-General to prepare a bill for a grant to pass the Great Seal, authorising the officers of the Court of Wards to make repayment of 2,000*l.*, together with interest at the rate of 8*l.* per cent., to Lord Keeper Finch, being the sum lent to his Majesty and paid into the Exchequer. Also to authorise Sir Miles Fleetwood and the rest of the officers of the Court of Wards to deliver to the Lord Keeper four bonds entered into by the guardians of Heneage, now Earl of Winchelsea, or their sureties, for payment of 2,000*l.* into the Court of Wards, in part of the fine of 6,000*l.* for the wardship of the said Earl. [2½ pp.]*

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Mar. 28.

17. Account by Sir William Russell and Henry Vane, Treasurers of the Navy, of ship-money received by virtue of writs of 1639. Total, 7,052*l.* 1*s.* 7*d.* Also 90*l.* paid in by the late sheriff of Cardigan [for 1638]. [$\frac{2}{3}$ *p.*]

Mar. 28.

18. Account of ship-money for 1639 levied and remaining in the hands of the sheriffs. Total, 2,407*l.*; making, with the 7,052*l.* paid to the Treasurers of the Navy, 9,459*l.* This week were paid in 54*l.* of the 1638 arrears. The arrears of ship-money were—for 1635, 4,536*l.*; 1636, 6,896*l.*; 1637, 16,832*l.*; and 1638, 14,024*l.* [1 *p.*]

Mar. 28.

19. An estimate, signed by the Lord-General, the Treasurers of the Navy, and others, of the charge for transporting 200 landmen from England to Holland, and 100 from thence hither, together with a supply of victuals for 42 days. Total, 382*l.* 5*s.* [$\frac{2}{3}$ *p.*]

Mar. 28.

20. Similar estimate for victualling and transporting 100 landmen for 56 days, with other incident charges. Total, 518*l.* 2*s.* 8*d.* Also for 200 men for 112 days, excepting beer, which is to be but 42 days. Total, 919*l.* The like for victualling 60 men for 196 days, to be sent from West Chester, with their clothes, transport, and other incident charges. Total, 643*l.* More for the pay of 160 soldiers for 84 days at 8*d.* a man *per diem*, besides the entertainment of their officers, with a surgeon, and the charge of furnishing his chest, with other incident charges. Total, 858*l.* 4*s.* Grand total, 2,938*l.* 6*s.* 8*d.* [2 *pp.*]

Mar. 28.

21. Receipted bill for saddlery and other goods delivered by Edmond Hillyard to Capt. Porter. Total, 47*l.* 19*s.* [1 *p.*]

Mar. 29.
Berwick.

22. Sir Michael Ernle to Sec. Windebank. Sir James Lesley came to me this morning in great haste, having ridden all night, to tell me that on the 27th inst. the Covenanters had taken and imprisoned the Earl of Southesk, the Bishop of Argyle, Mr. John Pape, Sir Lewis Stuart, John Dougall, Alexander Hulme, with 16 more, and they intend to proceed in like manner with all the non-covenanters both in the town and country. I am informed that they have planted 24 pieces of cannon against the castle, but no shot has as yet been fired on either side. They are sending forces immediately to Aberdeen with intention to burn it down to the ground. Upon these borders there is no stir as yet, only they are commanded to be in readiness when order shall come. I believe that General Riven [Ruthven Lord Ettrick] is so brave and so honest a man that they will not dare to venture upon a place of such strength as Edinburgh Castle, especially being so well provided. This is all I can inform you at this time. [$\frac{3}{4}$ *p.*]

Mar. 29.
Morton.

23. Sir William Bellasis, sheriff of co. Durham [to the same]. I received yours of the 17th inst., and acquainted the Bishop of Durham with what was expected of him concerning the ship-money, but he, being to come away so soon after, could not do much therein. For my own part, I hope his Majesty shall be well satisfied

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that as I have never been wanting to my power to do him faithful service, I shall not now be slack, being very sensible of the state of these times, which requires the duty of every good subject, and I pray God we may all be careful to perform it. Yesterday I received about 400*l.* of the ship-money, and the high constables have all promised me to be diligent in their office, and if I find any rubs or opposition I shall give you notice, but I hope the best; only I would desire advice whether I should proceed roundly with distresses and imprisonment in case any refuse or be sparing in that course, for some are backward, alleging that, if they could hear that other counties paid, they would willingly do the like, but that this county should be the first in all charges, and most of them higher than in other parts of the kingdom, seems much to trouble them. My Lord Bishop will acquaint you with some particulars of that kind, which makes me forbear them here. The arrears of ship-money for 1637 amount to 430*l.*, which I am called on for, and could never get up, of which 100*l.* is behind for the city of Durham. I have with much labour got about 160*l.*, and shall get in what more I can, but some are dead, while others have nothing to distrain on, and much of the remainder was rated on some collieries laid in and not wrought. You may remember that I moved the Board to have assistance of the mayor of Newcastle, but could not have it granted; so that I hope if I make it appear to his Majesty and the Board that I have done my endeavour, but could not levy it, and give a just account of the particulars, I shall not be enforced to pay it out of my own purse. In this I shall crave your assistance. For the 100 men to be levied in this county for Berwick, we could not with any conveniency take them forth of the 300 at Berwick, without making a distraction in the trained-bands; so we have raised them according to his Majesty's letter and the Lords' instructions, and they will be at Berwick by the day appointed. Our gentlemen and freeholders are still very desirous to have knights and burgesses like their neighbouring counties, and they have with a general consent entreated my brother Darcy and myself to solicit the business. I shall, therefore, desire you to signify, as soon as conveniently you shall think fit, what is fit to be done in it, and how his Majesty stands affected to the motion. All the country relies wholly on you, and they have desired me to move you in this business. I have made it one of my arguments to them to pay the ship-money more cheerfully, or else they cannot expect it from his Majesty. The truth is, if they find me still an instrument to press payments, and can do nothing else, I shall not have that credit amongst them that may be so useful for his Majesty's service as were needful. You may consider what use to make of this, which I shall press no further. This bearer, my son William, and your honour's servant, being sent for by Sir Jacob Astley, comes first to present his duty, and his and my humble thanks to you for all your noble favours to us. Sir William Brouncker's troop marched from Durham yesterday to Newcastle, and your son is in better forwardness than I expected, but I have not seen him since Thursday, having been waiting on my Lord of

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Durham, who took journey on Friday last. I shall desire to know from you whether if I get in any considerable sum of ship-money I may not be assigned to pay it over here by exchange, there being like to be so much money made down into these parts. My Lord Bishop wrote to the justices of peace at his going away to perfect the book of rates. Thus, fearing I have been too troublesome, I take my leave, but rest your most faithful servant. [3 pp.]

Mar. 29.
Red Cross
Street.

24. George Bingley to Nicholas. I received yours of the 27th inst. by Stockdale, the messenger, with answer concerning the surgeons' mates, but in my paper I omitted setting down 25 surgeons for the 25 regiments of foot, and therefore desire that this point may be moved, whether they shall not have two mates apiece likewise, there being but one surgeon for every regiment of 1,200 men, and no surgeon allowed in any particular troop of foot, which resolution I desire I may be satisfied upon. [*In margin*: 50 mates to be added.] I heartily desired, as you wished, that I might to-morrow have attended the Lords to have received their full directions for the lists both of the army and the garrison at Berwick, and also to have received the list for the train of artillery, but I dare not adventure abroad so soon. I have been confined to my room with cold and cough these eight days, so if I be called for by the Lords I pray you make my excuse. [*Seal with arms, broken.* $\frac{3}{4}$ p.]

Mar. 29.

25. Remonstrance by Sir John Lucas, complaining of the improper conduct of the saltpetremen in the house of Mrs. Lucas, called St. John's, near Colchester. Mrs. Lucas being from home in London, they took advantage of her absence, insulted over her servants, broke open doors, forcibly entering and digging in rooms which were both unfit for their purpose and unlawful for them to dig in. It is neither fair nor equal dealing for these saltpetremen thus to trouble the house of a person of Mrs. Lucas' quality, while there were many inns and other houses in Colchester fit for their purpose, where they had not been at all. [=2 pp.]

[Mar. 30.]

26. A proclamation against libellous and seditious pamphlets and discourses from Scotland. [*Draft in Sec. Windebank's hand, but wanting the last clause.* $3\frac{1}{4}$ pp. Printed in *Rushworth's Hist. Collect.*, iii., p. 1094.]

Mar. 30.

27. The King to Patrick Lord Ettrick: By your letters of the 24th and 25th inst., sent by this bearer, we perceive the unwillingness of the town of Edinburgh to give obedience to our commands in furnishing you with timber and other materials necessary for the reparation of the walls and works lately fallen down there, by which we have reason to ground a judgment of their affections, and of what we are to expect from them in other like occasions of our service. Besides we find by yours of the 25th that, notwithstanding your forbidding them to bring more earth and requiring them to raze the works begun, you conceive, nevertheless, they will proceed with these works. In all which, though they heap more guiltiness

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upon themselves, yet it is a great contentment to us to find you so resolute to reduce them to obedience by force, according to our letters of the 19th, which we do again hereby require you to pursue punctually and with expedition, judging that by this means you will gain many advantages, and not only free our castle of such a bridle, but in consequence of that, in procuring materials for the works and all necessary supplies for yourself and the garrison, preserve our honour and interests, and rally these rebellious people to that duty which they owe us. This we acknowledge will be a work of some difficulty, considering, as you observe, how much the place is weakened by the ruin of the walls, and what just cause of distrust you have of the Scotchmen there. But your glory will be the greater in venturing rather to preserve it gallantly than in lying still and suffering the yoke to be put upon you quietly and without opposition by a company of seditious burghers. You are therefore to go on cheerfully, and to be confident you shall have supplies with all the speed that may be. Your desire concerning the stay of Captain Shipman there we hold very reasonable, and do hereby require him to continue with you, and to assist you in our service as occasion shall require. The two Scotch captains desired likewise by you, have order to repair to you with this bearer, and we are contented to allow them the entertainment of 10s. by the day from the time of their entering into the castle, as the other captains have. You are to allow such pay to Captain Shipman as other captains there have. [*Draft. Endorsed by Sec. Windebank, "His Majesty's letters to the Lord Ettrick in answer to his of the 24th and 25th of this present. 30th March 1640. 2 pp."*]

Mar. 30.
Whitehall.

28. Minutes by Nicholas of business transacted this day at the Council of War, his Majesty present. It was resolved and ordered that the lieutenant of every troop of horse shall be allowed four horses, and the cornet three horses, being one each more than formerly, and that every troop of horse shall have three corporals. Resolved that there be added to the list of the army a president of the Council of War, who is to [be appointed by the Lord-General, and to have for his entertainment 15s. per diem. Resolved that the cavalry in garrison at Berwick and Carlisle shall be paid according to that belonging to the army, and that the foot in garrison be paid according to the old list of the last year, till such time as the army now raising shall come to the general rendezvous in the north, and that the principal officers of the train of artillery for these garrisons shall be paid as is expressed in the lists lately prepared. Resolved that there shall be allowed to the surgeon of every regiment of foot two mates, for that there is no surgeon allowed to the foot companies, and that the mates, shall have the same pay that was the last year allowed to the surgeons' mates of the army. Ordered that the half-pay formerly allowed from the 20th of this month to the officers, from the colonel to the sergeant inclusive, shall be according to the old list, and that the Lord-General may likewise give order for the like half pay to be henceforth given to the cor-

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porals and drummers as they shall come in and be listed. Ordered that the General of Ordnance and the Sergeant-major General of the Field, ought to march with their regiments before the colonels of the brigades, and to have precedency of those colonels even in their own brigades. That all such officers in his Majesty's army as have been employed in the King's army and service are to precede any officer of the same rank who has not formerly served his Majesty, albeit such officer has been a more ancient soldier abroad in other parts. Ordered that there shall be 500*l.* impressed out of the Exchequer to Sir Nicholas Byron, Governor of Carlisle, for making fortifications for his Majesty's service at Carlisle. Warrant to Sir Wm. Uvedale to imprest 2,000*l.* to John Gibbons, commissary for the horse, to provide oats and hay. Resolved that the Lord-General be prayed to give warrant for pressing 300 drummers and a sufficient number of trumpeters for the horse now raised. Resolved that the Lord-General shall give warrant for every drummer so pressed to have 8*d.* per diem. whilst learning to beat. Ordered that Sir Jacob Astley and Sir John Conyers shall view the arms belonging to the Lord Dungarvon and Sir John Suckling, and certify the Council of War of their goodness and condition, that further order may be given for his Majesty's service. Ordered that Mr. Lloyd, his Majesty's engineer at Berwick, being quarter-master general of the army, and having other charges for which he has several entertainments, shall at his own charges find an able man to execute the place of engineer at Berwick during his absence. [3 pp.]

Mar. 30.

29. Notes of instructions by Sec. Windebank for the Committee appointed to give audience to the Covenanters sent from the Parliament of Scotland. What to say to the petitioners and when. Give them short verbal answers to the most material heads of their propositions; though they have had no powers, and though his Majesty be not satisfied, referring them to the Declaration. The time to be respited. The resolution likewise of the Parliament to be respited. Not to be communicated yet to the Council here. The declaration to begin from the pacification. To show the true intent his Majesty [had] to go into Scotland. Why he did not. [*In margin*: While they have sent petitioners they have committed acts of hostility.] Their barbarous usage of his officers. Their refusing the coming of his subjects when he sent for them. All the breaches [of the pacification] that they have made, and the unreasonable demands in Parliament. [*In margin*: Keeping up their tables and meetings. Their raising the fortification against the castle at Edinburgh. Importation of arms and ammunition. They have raised men.] To show why the Parliament was prorogued. The reason why these men came hither. The grounds of the pacification to be set down. Not only his Majesty's intention, but their desire not to alter anything in religion or law. [1 p.]

Mar. 30.
London.

30. Certificate of the Lord Mayor and Aldermen of the City of London to the Privy Council. You were pleased to direct your letters [see Vol. ccccxliii., No. 41], by reference from his Majesty, upon

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a petition of the poor water-tankard bearers of the city, that certificate should be made by us what number of pipes or quills are laid to intercept the water from coming to the several conduits in London. Besides furnishing the Queen's house in the Strand with a pipe running 80 gallons an hour, the 19 noblemen and others here named have quills granted them running eight gallons, six gallons, and four gallons per hour. If some or most of these might be cut off, or if your Lordships would be mediators to his Majesty that the work which the city has begun at the cost of 2,000*l.* in bringing part of the waste water from the Round Head, properly belonging to the citizens, might go on, it is conceived there will be water sufficient to set the poor tankard bearers on work, and fill the city with as much plenty as heretofore. Signed by Henry Garwaie, Lord Mayor, and 13 of the Common Council. [1 p.]

Mar. 30.

31. Petition of the inhabitants of co. Denbigh to the Council. Upon complaint made to your Lordships in May last, on behalf of petitioners, remonstrating that for the supply of forces then lately sent for the expedition into the north the supply of men from their county exceeded the number required of Carnarvon and Montgomery shires, whereas in former times it was less in proportion, your Lordships, taking the same into consideration, then declared that, for the future, Denbigh should be rated equally with those counties. Petitioners are informed that there is now a new supply of men for the King's service to be sent out of the said counties, and that the number to be raised in Denbigh far exceeds the proportion laid upon the other counties, though less able than either of them to bear the charge. They therefore pray that this inequality of proportion may be redressed. *Underwritten,*

31. I. *Reference to John Earl of Bridgewater, Lord President of Wales, to consider of this petition and certify his opinion, whereupon his Majesty will signify his further pleasure. Whitehall, 30th March 1640.*

31. II. *Report, in compliance with the above reference, by John Earl of Bridgewater, that it were reasonable that the counties of Denbigh, Montgomery, and Carnarvon be either reduced to equality, or else that, 100 being deducted from the first, the other two should be augmented respectively by 40 and 60. This opinion is grounded upon the particular informations furnished by the several counties, but is fixed more especially upon the Order of Council made 26th May 1639 and referred to in the above petition, which perhaps will be insisted on, but I submit all to his Majesty's judgment and determination. (Signed) J. Bridgewater. 30th March 1640. [1 p.]*

Mar. 30.
Apethorpe.

32. Mildmay Earl of Westmorland to Sec. Vane. Noble Cousin,—I received from Mr. Pey what you delivered to him, wherewith I must be satisfied, though not contented, either to lose the inheritance left me or to contend in law with his Majesty. If I had not

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been assured that his Majesty did usually forget those poor things, by some who had twice petitioned for one thing, and that this was not the same request, though about the same thing, I would not have put it into your hands, which if I had without those two grounds, it had been in me a fault inexcusable; for his Majesty to refuse to be informed is of dangerous consequence, and therefore it is to be wished he may be in that altered, which was all the scope of this my petition; the other had in it, to have liberty to amend my title if any defect were, seeing it had been so long since valuably paid for. It is but 16*l.* per annum in the King's books, and therefore no great living. If his Majesty's care be of the Church, I hope he knows me so well that my chaplains or my own son, for whom I reserved it, would be as likely to be for the good of the Church and religion as my Lady Coventry's kinsman on whom her lord had bestowed it, and the only cause why I desired to have it now under reference was to keep him out of a sudden possession, when the incumbent should have died, that I might the better have defended the right which I hope I have, that the bishop might not have admitted either his clerk or mine till the title had been tried, for now he that gets it will have the profits to defend his suit, though he have the worser cause. I assure myself the Archbishop and the Lord Keeper will find much conscience to relieve me, but I fear they will not certify unless it were referred to them, or unless you dare say to them that his Majesty's pleasure is such. My house has ever been obedient without dispute to his Majesty's commands and unwilling to contend with him; yet when we have any request to him, we find no more favour than his absolute opposers do. God send that way of his to work him no inconvenience, and then for my particular, let it go which way it will, I care the less, and so I leave it to your best consideration. [*Seal with arms and coronet.* [1 p.]

Mar. 30.
Llewerlyd.

33. Ralph Hughes, sheriff of Flint, to Nicholas. Thanks for his kind reception of his certificate. I have since received another letter from the Council, reciting their former letter, and imputing much blame to me for remissness and neglect. I am charged either to provide a ship completely furnished and equipped as by his Majesty's writ is required, or else to pay in all the ship-money charged upon this county by 1st of April, otherwise an exemplary course should be taken with me according to my demerit. Truly, before I received this last letter, I had not been either idle or negligent in this service, but, meeting with those distractions and defects specified in my former certificate, I was much hindered in my proceedings. On the receipt of this letter I caused it to be published to all officers and in all places of the county, and directed my warrants in the strictest manner I could devise for the collection of these moneys. I confess I never found any unwillingness in any to pay this mize as their abilities served, so now most of those who are able I find more quick to do their duties than before; yet I am afraid a great part of this mize, on account of the general poverty

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of the country, cannot possibly be had before the summer fairs, when people may make money of such corn and cattle as they have. May it please you to be advertised that this county of Flint is as small as poor, having much waste, and extending scarcely 20 miles in length by seven in breadth; to charge which with furnishing a whole ship, as implied in the Lords' letter, wherein, by his Majesty's writs, many counties are contributory, I hope is no part of their Lordships' meaning. Of the 575*l.* charged on this county I have in hand 300*l.*, which I will pay in to the Treasurer of the Navy by the beginning of May at the furthest, and the rest so soon as it can be got in. Common experience teaches that it is difficult to deal with a multitude in business of this nature. Howsoever it be meet that the Lords should sharply reprehend such as are indeed refractory and negligent in this service, yet I am confident they will have an honourable and charitable consideration of myself and others who are willing and careful to execute the commands of his Majesty and their Lordships to their uttermost power. [*Seal with crest and arms.* 1 *p.*]

Mar. 30.

34. Memorial addressed to Lord Treasurer Juxon in the name of the Merchants Adventurers, stating the particulars of the dispute between the said merchants and the Duke of Lennox, relative to the farming of his patent for the export of white cloths. The Company having a great mass of cloth lying on their hands, which, notwithstanding this discouragement, they had bought up at Twelfth[day] market and every week since, even when they were most vexed the last week at Lady Day market, which has not in many years been so great, they first chartered four ships, and have now added two more, hoping the state would apprehend what service they had done therein, although the Duke's servants do slight the same, and profess to omit no vexation they may bring upon the company. Particulars of the interruption of their trade by the Duke's servants. The company pray that at present the protestation made upon oath, to the effect that the cloths detained cost not above 6*l.* a cloth, may be admitted, so that the ships may not be longer detained. The ships cannot be despatched without these cloths, and to stay them till the next term, in order that this dispute might be tried at law, would almost undo them, this being their first fleet this year. Without some timely relief the company will be utterly discouraged to proceed in their trade for the coming year. It is prayed that this expression may not be understood as a communication, but as the very issue which must needs follow upon such unreasonable vexations, where no satisfaction will be admitted or any relief be obtained. [*2½ pp.*]

Mar. 30.

35. Notes received from John Davenport, dwelling at Whatcote in Warwickshire, concerning some things fit to be amended in this Parliament. 1. That by the common law no man should be troubled with any writ from above for any debt under 40*s.*, but that for the ease of the subject such trifles should be sued for, either in the county or some other inferior court. This law is by every

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puny attorney, but newly crept out of the shell, made void and of none effect, either by laying the debt above 40s., though it be not 10s., or by making it an action of the case, and so they may trouble a man for 5s.—yea, or even for 12*d.*; by which means the charges of the first writ oftentimes amount to twice the value of the debt. This is thought to be through the connivance of the judges, and therefore may be the easier reformed. 2. That commissioners betwixt party and party are not put to their oaths that, without respect to persons, they will do their best endeavour for finding out of the truth. Then the deponents would not be so wrested, as usually they are, by the commissioners on both sides, who hold it a matter of great repute to them if (though by sinister means) they can gain the cause on their side of such as have chosen them, albeit their own conscience tells them it is against the truth. 3. The decay of timber, which in my time is raised in price from 5s. or 6s. to 20s. a load, and instead of being obtainable within six or seven miles, we must now go 17 miles for it if it be oaken. This might be remedied by his Highness taking order that none should build any hell wall or side wall of timber when stone or brick might be had within two miles, which would save many thousand tons of timber a year. 4. This may seem to be but a bauble, yet duly considered it is a general wrong; the abundant increase of an unprofitable creature, which in two or three months devours more of the best grain than would suffice 20,000 men for bread all the year; and that is the sparrow; whose numbers may be abated, if not extinguished, if either the churchwardens or overseers for the poor might be enjoined to pay to those who should take them, 3*d.* a dozen for the first year, 4*d.* the second, and 6*d.* the third; by which time there would not be so many left as to do 12*d.* hurt in a parish all the year, instead of from 5*l.* to 20*l.* as at present. There is no hurt intended by me in all these suggestions, therefore I hope no offence will be taken, but if there should I crave pardon for this presumption. Mem.—The clergy to pay within their own deaneries. [1 *p.*]

Mar. 30.
Newcastle-
upon-Tyne.

36. Examination of Anthony Errington, senior, merchant, of Newcastle, and warden of the Company of Merchant Adventurers, taken 30th March 1640. Being examined touching a petition which he preferred to the mayor and corporation of Newcastle this day, saith that upon Saturday last in the afternoon he went to the mayor and acquainted him with so much of a supposed grievance as is subscribed under his hand. He then told the mayor that there used to be a committee which might present to the burgesses chosen by this town for the Parliament such things as the [committee] conceived might be for the good of the town, to which the mayor replied that he intended to have a common council on Monday, and if examinant had anything to communicate he might then prefer it. He subsequently met Mr. Ralph Gray, who accompanied him to his house, and then examinant acquainted him with so much as is subscribed by him; and afterwards Henry Lawson, Henry Holme, and Edward Man came to his house also, when he acquainted them with the

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same paper, which they, being all merchants, approved, and desired a copy that they might add something to it against Monday. This morning examinant coming down called on Edward Man for the paper, which he gave to him, and examinant then asked Man if he had drawn out any other grievances, who said they had, and that they were a-copying out. Man entreated him to stay and take the paper with him, which he did accordingly, this examinant and Man having first read the same to see if it were rightly copied, and so examinant, being in haste, brought it up and preferred it as aforesaid, as also the other paper with the other grievances which are added under[neath] this examinant's signature, as he supposes, by Edward Man. [1 p.] *Annexed,*

36. I. *Petition to Robert Bewick, mayor, the aldermen, and Common Council of Newcastle-upon-Tyne. The humble desires of us commons are that Sir Peter Riddell and Mr. Thos. Riddell, now chosen burgesses for the ensuing Parliament by this corporation, if it stand with your good liking, may have instructions to this purpose:—*

1. *That they be careful to maintain the orthodox faith of our Church, and wholly to oppose any innovations both in doctrine and discipline.*

2. *To stand out for the liberties and freedom of the subjects, which is principally in the maintenance of Magna Charta and the other fundamental parliamentary laws.*

These two particulars being faithfully preserved will no doubt settle both Church and State in truth and peace, but if in either there be a sufferance of alteration we may in short time fear a loss of both. What distractions some few innovations in the Church have produced, no observant man can be ignorant of. What burdens the intrenching upon the freedom of the subjects by monopolies of soap, salt, coal, tobacco, starch, and many other such like are palpable, together with the new great impost on wine, lead, and all other commodities, especially the unparalleled taxation of ship-money upon us. All these are so felt by the merchants and others, that our estates are squeezed from us, and we now become only to have the name to be rich, but are in truth miserably poor. And, lastly, this particular body suffers, in regard within the walls and without strangers are suffered to injure both merchants and tradesmen in their privileges, and consequently the whole commonalty of this town is burdened in regard these encroachers are generally beggars, who, dying, leave commonly a great charge and burden behind them. These particulars we desire may be taken into your wise considerations, or what otherwise may be thought upon by you, and, if you so please, that some understanding person may be chosen to perfect instructions herein to be delivered

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to our burgesses, and, as duty binds us, we shall ever pray for the prosperity of you all. [Damaged. 1 p.]

36. II. *An address signed by Anthony Errington, senior, merchant, of Newcastle-upon-Tyne, and warden of the Company of Merchant Adventurers, to the burgesses representing the borough of Newcastle in the Parliament, 1640. You are humbly entreated to take notice of the grievances of the commonwealth hereunder specified. It is a great grievance that the making of soap should not be free to be made in all parts of the kingdom as formerly; these great and spacious northern parts, which were wont to be supplied from Newcastle with coarse soap, suffering much by the restriction of the manufacture to London, Bristol, York, &c. Before this restraint coarse soap, without tallow, was sold wholesale at 2s. the firkin, or 2½d. per lb., and retailed at 2½d., and sweet or best soap at 12s. 6d. by the firkin being 2½d. per lb., and retailed at 3d. per lb.; while now the former is sold at London by the maker at 16s. 6d. the firkin, or 3½d. per lb., and retailed at 4d. per lb., and the latter at 18s. 6d. by the firkin, being 3¾d. per lb., and retailed at 5d. or 6d. per lb. It is to be wished that permission may be procured for the making of soap to furnish these northern parts as formerly. A soap-house was erected here [at Newcastle] 26 years since for the benefit of the poor and these spacious countries. You are prayed to refer to a petition preferred 20 years since by Anthony Errington, senior, to Mr. Henry Chapman, mayor, and the corporation of Newcastle, concerning privileged places, &c., and to do as occasion offers in the particulars thereof for the good of this corporation. Newcastle, 26th March 1640. [Endorsed, "Copy of that I gave to the two burgesses, 1640, to do therein as they could or they saw fitting." 1 p.]*

36. III. *Copy of the above address of Anthony Errington, to which are subjoined these additions. We find it a great grievance that any stranger by virtue of any patent for tobacco should be privileged within the liberty of the town [of Newcastle] to keep open shop as free merchants. Here set down the grievances of Shields, Gateshead, Castle-garth, Westgate, and all adjacent places, as to starch, cards, pins, iron pots, the great impost on wine, and the grievances of butlerage, increase of Custom House fees, pretermitted dues, and all other impositions set down in the Book of Rates, above the subsidy of tonnage and poundage. We also groan all heavily under the taxes and assessments for ship-money and other intolerable burdens, insomuch that if they should not be layed, in short time they will utterly beggar this corporation, no part of the kingdom being burdened in that proportion. Newcastle, 26th March 1640. [1 p.]*

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Mar. 30.
Newcastle.

37. Examination of Edward Man, merchant, of Newcastle, taken 30th March 1640. Being examined touching a petition preferred this morning to the common council by Anthony Errington, saith that whereas it was reported that Sir Peter Riddell, one of the present burgesses for Parliament chosen by this town, wondered that no instructions were given to the burgesses for their proceedings, and thereupon should say that the fault must be either for that they [their constituents] supposed them too wise, or otherwise did undervalue them. Thereupon Mr. Anthony Errington, being warden of the Merchant Adventurers' Company, at divers times earnestly solicited this examinant to come to his house and see what he had prepared by way of petition for the mayor and common council, but he as often refused, alleging his other occasions, inso-much as Errington said divers times to this examinant that we were all beasts that would not take a good opportunity when it was offered, meaning by petitioning as before; whereupon on Saturday last, at night, Mr. Errington, continuing his resolution, came to examinant's shop, and then this examinant and Henry Lawson being together, Henry Holmes came and entreated them to go along with him to Mr. Errington's house, where they found him and Ralph Gray, perusing some drafts of Errington's, which seemed to examinant very tedious, and so he said it was not convenient to trouble the common council with such longsome work, but recommended that it be put in a briefer space. They then desired examinant to take the heads of things and put them in form, he being secretary to the Company of Merchant Adventurers, and accustomed on other occasions so to do. He then inquired of them whether or no he should insert anything in the petition touching the Church, in regard the Church was mentioned in the King's writ as well as the commonwealth, which they all approved; whereupon he framed this petition, but with no intent that it should have been delivered without their perusal and approbation, whereas Mr. Errington alone read it, and then hastened to deliver it to the mayor and common council, saying it was so well done that there could be no exceptions taken against it, and only willed examinant to subscribe his name, which he refusing, Mr. Errington was about to write when examinant told him it was not proper for one or two to sign unless more had seen and approved of it. This examinant then willed him again to see to get the approbation of the others; after which Errington went away in great haste, as he supposes to deliver the said petition. [1½ p.]

Mar. 30.

38. The like examination of Ralph Gray, merchant, of Newcastle, taken the 30th March 1640. Deposes that he never read either of the two petitions, nor was acquainted with them till now that they were showed to him. His interview with Anthony Errington touching the preparation of some instructions for the burgesses of this town for the Parliament. The complaints now showed to him were exhibited to them at Anthony Errington's house, and they then added the other grievances at the bottom of the first side of the paper.

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He neither himself nor any other to his knowledge spoke anything touching the Church. [1 p.]

Mar. 30. The like examination of William Braithwait, merchant, of Newcastle, taken 30th March 1640. Being examined whether he wrote the petition showed to him, saith that this morning Edward Man, keeping a shop next to examinant's, brought a petition and entreated him to copy out the same, which he did, Anthony Errington waiting while he copied it; after which Man and Errington perused it to see if it were rightly copied, and then the latter took it and carried it away, but no other person saw it to his knowledge. [*Written on the same paper as the preceding.* 2/3 p.]

Mar. 30. 39. Note of goods supplied to Edward Nicholas, comprising cloth, haberdashery, gold-lace for a livery, &c.; total 23*l.* 9*s.* 2*d.* *Under-written in Nicholas's hand*, "Mem.—This 30th day of March 1640, my cousin Nevill and I made even all money accompts, when he remained in my debt only 1*l.* besides the 100*l.*, for which I have his bill of hand. E. N." [1 p.]

Mar. 30. 40. John Nicholas to his son, Edward Nicholas. Thanks for a present of cloth and figs. I see no colour for Mrs. Humber's claim to the farm of Horsebridge, even if all were true in the note she sent you. If Mr. Ryves, deceased, kept not promise with the Humbers in taking the farm for their lives, but for years, what is that to the ward to whom he has left it; she must seek remedy of his executors, and that will be a poor suit to compel an executor to perform a promise of a testator made so long since; neither is there law nor equity for it, as I conceive. We shall see what will be proved at the com[mission]. Narrates the particulars of his interview with the late Mr. Ryves touching his intention of making provision for the children of the writer's daughter, his nearest relatives. In this suit I am a party, and will follow it for the ward according to the trust reposed in me, and I hope that I may find some ancient friends who will stead me what they may. For Mrs. Humber's seeking higher powers I am not a jot troubled at it, for the higher and greater the better; let her do what she pleases. I am sorry to trouble you with so long a discourse. I think you have before this heard that [Philip] Lord Herbert and Sir Francis Seymour are knights of the shire for Wilts without any opposition, and that Edward Herbert, Solicitor-General, and one of the Howards [Sir William] are returned for the Old Castle [of Sarum]; Edward Hyde, the lawyer, and Mr. [William] Whitaker for Shaftesbury; Sir Edward Gryffyth [Griffin] and William Eyre, the lawyer, for Downton. This day the election for Salisbury takes place, where some think they will leave out Mr. [Robert] Hyde, the recorder. You shall know all by my next. I am very weary and have kept my chamber three weeks; God only knows whether I shall ever get strength again. My wife and I commend our love to yourself and wife, praying daily for God's blessing on you both and all yours. [*Seal melted.* 3 pp.]

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Mar. 30. 41. Mem. for the Council of War. That they would be pleased to give an order for the arms belonging to Sir John Suckling, either according to the rates set down by Captain Legg or by the officers of the Tower, as directed by the Council. For the difference of bore the owner undertakes to put new in the place [of those not answering the test], being a very small number; or at worst, since the arms, if not used this expedition, are lost things, that they will allow as much to arm his troop as the King allows another. This Sir John conceives to be but reasonable, since he believes these to be much better than those arms the King sends for. [1 p.]
- Mar. 31. Presentation of John Armorer, clerk, to the vicarage of Eyworth, Beds, void by death, and in his Majesty's gift by reason of the wardship of Dorothy Anderson. [*Docquet.*]
- Mar. 31. The like of Abraham Forbes, clerk, to the rectory of Strelley, Notts, void by death, and in his Majesty's gift by reason of the wardship of George Strelley. [*Docquet.*]
- Mar. 31. Warrant to the Exchequer to pay 1,800*l.* to Sir James Palmer, Knt., Deputy Chancellor of the Order of the Garter, so much being due at Lady Day, 1640, upon the assignment of 1,200*l.* per annum for defraying that charge. [*Docquet.*]
- Mar. 31. The like for payment of an allowance of 20*s.* per diem to Peter Morton, Esq., employed in his Majesty's service at Turin, to commence from Christmas last, and to continue till his return. [*Docquet.*]
- Mar. 31. Grant and confirmation to Anthony Houbelon and his heirs of all the King's interest in two copyhold messuages and two acres of land in the parish of Islington, Middlesex, purchased by John Holland in trust for Margaret Taylor, an alien, which by decree of the Court of Request Houbelon, brother and heir of the said Margaret, recovered against Holland as her trustee in the said purchase, and his Majesty was entitled thereto at the charges of the said Houbelon. [*Docquet.*]
- Mar. 31. License to John Davys to build a house upon a plot of ground leading to Lincoln's Inn Fields, begun by Cornelius Hudson, and is done upon certificate from the Commissioners for Buildings. [*Docquet.*]
- Mar. 31. Pardon to William Yalden, gent., of all offences by him committed before 17th May 1636 in destroying divers woods for the smelting of iron in cos. Surrey, Sussex, and Hants. [*Docquet.*]
- Mar. 31. 42. Minutes by Nicholas of business transacted this day at the Whitehall. Council of War. Ordered that Sir Job Harby shall send to his correspondent in Flanders and to Mr. Lanyon to hasten the sending over of such of the horse-arms as were ready from thence directly to Hull, and to advertise by their next letters when all those arms

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may be expected. Upon the report of those appointed to view the arms of Sir John Suckling that they were as good and serviceable as any that come from foreign parts, it was ordered that the Master of the Ordnance should take order for purchasing them, and, upon his certificate of the prices and charge thereof, order is to be given for the money required. In regard the muster-master-general of the army is to take more than ordinary care to see that there be no deceit used in the musters, and is not to connive at any false muster, whereby former muster-masters raised benefit to themselves, it was ordered that the muster-master-general shall have his pay of 1*l.* per diem raised to 1*l.* 10*s.* per diem. Ordered that Mansell, the petardier shall receive such daily allowance whilst employed in making provisions for petards for the King's service as the Lord-General shall think fit, as also the other petardiers and artificers belonging to the train of artillery. Ordered that the master-general of the ordnance shall cause to be taken out of the grand estimate of the charge of provisions for the train of artillery, and set apart distinctly by itself, the 50 pieces of ordnance which are appointed for a train for the moving army, also the pieces for the other lesser train, and all provisions incident to each of these trains respectively. The rest of the grand estimate to be set down to remain in a magazine, and to cause the same to be transcribed against the next meeting of this Council to be signed by the Lords. [1½ p.]

Mar. 31.
Orton.

43. Sir William Armyn, Bart., sheriff of Hunts, to the Council. I received the writ and instructions for levying 2,000*l.* ship-money on this county the 27th December last, and proceeded to distribute the charge upon every town and parish with all possible diligence, but cannot prevail with the inhabitants to make their particular assessments, though I have issued out sundry writs to that effect. Wherefore in discharge of my duty I thought it fit to set the sums of every particular town upon the chief constables and bailiffs of the hundred, the petty constables of each parish, and some of the best men, whose names I could learn, dwelling amongst them, until they brought me in a more equal assessment according to my former warrants. I send enclosed a brief account of my proceedings for the Lords' consideration. [*Seal with arms, broken.* 1 p.] *Encloses,*

43. 1. *Account exhibiting the manner in which the assessment of ship-money has been distributed on the hundreds and parishes in Hunts, with the names of the chief constables, bailiffs, and others answerable for the same.* March 31, 1640. [4 pp.]

Mar. 31.

44. John Ashburnham to Nicholas. I received yours of the 13th inst., together with copies of two letters well worth reading, for which I thank you. I cannot but smile to think how Long-Phill trembles for fear of peace, and prays for war, lest there might be an opportunity for that Covenanter to come hither and stretch Phill's ears as long as his baker's legs. I was yesterday by appointment at Sarum, where the Dean feasted us more like a cardinal than a meaner prelate,

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which being ended we repaired to Mr. Recorder for his advice in our business, who well approves of every particular, and has taken till to-morrow morning for drawing up the assignment, and will then convey it to me that I may peruse it, prior to its being engrossed. I likewise carried with me Lady De la Warr's jointure, having contracted with her for the payment of the money by July 20th, and the Recorder is in hand with that assignment also, for I intend to have them both sealed in one day, Wednesday in Easter-week, therefore if you can be spared from your other occasions, I pray you heartily to comfort your faithfulest with your company on Tuesday night. I intend to go to Winchester this week to see Mr. Withers before I seal, and for the Lady De la Warr she is the very same I ever knew her. I cannot as yet hear of any geldings suitable for your coach. I pray you thank the Lord Warden of the Cinque Ports in my behalf for the favour he did me in writing for me in the first place to Hastings, where though I failed, yet I have nothing to blame but my own negligence in [not] looking after it; for they inquired much after me and resolved to have chosen me, but that my Lord of Dorset's White told them I was to go provider for the army into Scotland, and so persuaded them to choose Mr. [Robert] Reade, for whom, they say, either he or some others made large promises to the town; first, that he would give 20*l.* per annum to the town during his life, and next, that Mr. Reade should procure them as much powder out of the King's storehouse gratis as they had occasion to use, with two or three like engagements, upon which score and the Lord Warden's letters he was chosen. But truly I conceive that I have done Mr. Reade some service, for finding that Sir Thos. Parker and some others were minded to question his election, I satisfied them in those parts that the gentleman was, without doubt, abused, his discretion being far greater than to commit such follies as those, and that certainly he will disavow them, which, let me tell him, will be no ill advice for him. I can assure you were he not my friend I should question his election myself, and Mr. White's impertinences and over-busying himself in that place. P.S.—If you come on Tuesday bring with you the 50*l.* for Mr. Withers. [*Seal with crest and arms.* 1 p.]

Mar. 31. 45. Thos. Earl of Cleveland to [Sir John Lambe]. I understand that Mr. Thorne has informed you that this bearer, [Robert] Collyer, of Bedford, is an inconformable man and a great favourer of Non-conformists; I have long known him, and am confident that there is rather a misunderstanding of the man than any just ground for that information. If you please, for my sake, to permit him to have some conference with you, I doubt not but he will clear himself from any such imputation. And if I did not believe him, in all things the Church commands, exactly obedient, I should not trouble myself to write in his behalf. I am sorry my occasions call me to London, so that I cannot be so happy as to enjoy your company as you pass by. [$\frac{3}{4}$ p.]

Mar. 31. 46. Petition of Edward Watts, gentleman, of the Middle Temple, London, to Archbishop Laud. That petitioner and his predecessors

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in that estate he now holds have been seized in fee beyond memory of the patronage and right of presentation to the vicarage of Blakesley, in Northamptonshire, by virtue of which title Nicholas Short, clerk, was lately presented and inducted vicar; nevertheless Erasmus Dryden, Esq., detains from the vicar the herbage of the third part of the old churchyard, and refuses to suffer burials therein, paying to the churchwardens for the same but 6*d.* per annum, it being well worth 6*s.* 8*d.* per annum. Represents that Blakesley is a great and populous parish, requiring the whole of the churchyard; also that, as evidenced by a court roll dated 18th April, 1 & 2 Philip and Mary, the holder of the lands now possessed by Mr. Dryden were wont to pay 6*s.* 8*d.* annually to get a man to ring the bow bell there at 8 p.m. and 4 a.m., which is now discontinued; whereby that laudable usage and custom, so long time there continuing for the good of that parish and direction of travellers passing at such times there, is now like to be quite omitted and lost, because Mr. Dryden will not both pay the money and find a man to ring the bell. Petitioner, out of his religious care of the general Christian good of that parish, prays your Grace to take the premises into consideration, and grant redress therein as in your judgment shall seem fit. *Endorsed by Archbishop Laud*, "For Sir John Lamb. Received 31st March 1640." [*Seal with device.* 1 p.]

Mar. 31.

47. Thomas Lord Cromwell to Edward Viscount Conway and Killultagh. I am as glad of every good that befalls your lordship as any servant or friend you have in the Christian world, and as I have ever honoured you and truly loved you, so I shall to my last hour. My noble Lord and General [Strafford] has so demeaned himself, in the time of his government here [in Ireland], that the subjects speedily and cheerfully have given the King four subsidies of 45,000*l.* each, and the clergy have given six subsidies, besides three more they owe; so that their nine subsidies and our four subsidies will all be paid in three years, if God say Amen. I did hope I should have had charge of a regiment here or in England, but none I have, so must go as a private captain in my Lord-General's regiment, though I have had a regiment of horse and of foot and 300*l.* a month pay. But such is my zeal to the King's service and my obligations to the Lord Lieutenant, that I will go in any condition rather than stay, seeing my Lord [Strafford] goes in person. Good my lord, if you know how to accommodate me with any charge here or with you which you think fit for me, tell me and remind my Lord Lieutenant of me. I pray tell me how you do by my lieutenant, who is gone over for buff coats and other necessities of war; also what is the conclusion of the treaty with the Scotch Covenanters. *Endorsed*, "Mr. Cromwell. Intelligence from Ireland. 31st March 1640." [*Seal with arms and coronet.* 1 p.]

Mar. 31.

48. Observations by Mr. Nevill, of Cressing Temple, about the knights of the shire and their election in Essex. Before the election the Earl of Warwick made good use of his Lord Lieutenancy in sending letters out to the captains of the train-bands, who having power to charge the people with arms [they] durst not offend,

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which brought many [to be] of his side. Sir Thos. Barrington and Sir Harbottle Grimston on the morning of the election went from their own to the Earl of Warwick's lodging, and whilst they were there, thousands of people shouting, a man drew a sword and flourished it about his head in great glory before the window. It was said amongst the people that if Nevill had the day they would tear the gentlemen to pieces, for which words a man was apprehended, but bail was accepted by the Earl of Warwick, Sir Cranmer Harris and Captain Barnard being his bail, to his great popular glory. Lord Maynard entreated Sir Henry Mildmay, of Chelmsford, to take bail, seeing the affront was offered to the Earl of Carlisle, Lord Maynard, and the rest of the gentry in those threatening speeches. Those ministers who voted for the Earl of Warwick, as Mr. Marshall and others, preached often out of their own parishes before the election. The corporations in Essex consist mostly of Puritans, who having had their voices in electing their own burgesses, then for them to come to elect knights is more than the greatest lord in England has. In their boroughs the multiplicity of the people are mean conditioned, most factious, and few subsidy men, therefore no way concerned in the election. A man having but 40s. a year freehold has as great a voice in the election as any, and yet this man is never a subsidy man, and therefore no way concerned in the result of the election for his own particular. When the statute was made, fixing the qualification at 40s., that sum was then worth 20*l.* in present value. It were a great quiet to the state if it were fixed at that, for then gentlemen would be looked up to, and it would save the ministers a great deal of pains in preaching [away] from their own churches. [3 pp.]

Mar. 49. Latter half of draft of the "Large Declaration," of which the former portion has been already calendared. [See Vol. ccccxvii., No. 128. 13½ pp. Printed in Rushworth, iii., pp. 1031-1039.]

Mar. 50. Notes and emendations for the draft of the "Large Declaration." [¾ p.]

[Mar.] 51. The King to [John Leslie, Earl of Rothés]. We understand that after the last return of the Earl of Traquair, our Commissioner, into Scotland, you not only questioned him for somewhat that by our special commandment he had represented to ourself and the Lords of our Council here in England, concerning our affairs in Scotland, and required him to give you account of it, but likewise charged him to have delivered sundry untruths in that report, and thereupon branded him with a note of infamy and of being an enemy to his country. We have further understood that of late you have directed a letter [see Jan. 29, p. 397] written with your own hand to the Earl of Pembroke and Montgomery, wherein you desire his assistance, pretending him to have been heretofore a favourer of your party, and laying much foul scandal and aspersion upon him to that purpose, all which he avows to be most false, and desires to clear himself in your presence. This being a charge of a

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very high nature, and trenching deeply upon the honour of a person of his quality, he appeals to us for justice and reparation, besides the instances of the Lords of our Council here in England, who are very sensible that anything spoken in Council should be discovered, or that any of their body should be questioned or called to account for it. We have therefore for these considerations thought fit to require you, and by these our special letters we do will and command you upon your allegiance, all excuses and delays set apart, to make your immediate repair hither into England to our court, to answer to these and any other matters that shall be objected against you. Hereof you are not to fail upon peril of our highest indignation, and of incurring the uttermost of those punishments which may be inflicted upon any wilful contemner of our royal pleasure. [*Fair copy.* 1½ p.]

[Mar.] 51a. Draft of the preceding in Windebank's hand. [2 pp.]

[Mar. ?] 52. The Earls of Rothes, Montrose, Marr, Montgomery, Loudoun, Lord Forrester, and Sir A. Leslie to [Louis XIII]. Your Majesty being the refuge and sanctuary of afflicted princes and states, we have found it necessary to send Mr. Colville to represent to your Majesty the candour and ingenuousness, as well of our actions and proceedings as of our intentions, which we desire to be engraved and written to the whole world with a Beam of the Sun, as well as to your Majesty. We therefore beseech you to give credence to him in all things touching us and our affairs, being most assured, Sire, of an assistance equal to your wonted favour heretofore, and so often shewed to this nation. [*Printed in Rushworth iii, p. 1037. Copy, French.* 1 p.] *Endorsed by Sec. Windebank.*

52. I. Covenanters' letter to the French King "endorsed *Au Roy*."

52. II. *The original of this letter was delivered to me by his Majesty at Whitehall, 10th of April 1640. When I had made this copy of the Covenanters' letter to be sent to the Earl of Leicester, I delivered the original letter, after this copy had been compared with it by his Majesty himself, to his Majesty's own hand at Whitehall in presence of the Lord Marquis Hamilton, the 11th of April, 1640.*

Mar. 53. The King to [John Leslie, Earl of Rothes, and the six others of the Scotch Covenanters who subscribed the draft of a letter to the King of France]. By some advertisements not long since received, we have too just ground to suspect that you are fallen into a very high offence, and of such a nature as, if it be true, cannot but be very dangerous to our state and government; but, because we are not willing to condemn you unheard, nor to make a business public which concerns you both in life and honour, until we shall have heard your justification, and because you cannot clear yourself but by your personal and immediate access to our presence, we hereby will and command you upon your allegiance, all excuses set apart, to make your immediate repair hither to our presence, as you will

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answer the contrary at your utmost peril. According to your readiness to obey these our commandments we shall judge of your innocence or guiltiness, being confident that a person of your quality will be impatient to live under the suspicion of so foul a crime, and under the just jealousy of your Sovereign. [*Endorsed*, "His Majesty's letters to the Earls of Rothes, Montrose, Marr, Montgomery, Loudoun, Forrester, and Sir Alexander Lesley. March 1639-40." *Draft in Windebank's hand.* $\frac{2}{3}$ p.]

Mar.
Whitehall.

54. The same to John Earl of Loudoun. Whereas, for the better settling of business in that our kingdom of Scotland, we have occasion to speak with you, both concerning our own service and your own particular, we do hereby will and require you, all excuses set apart, to make your immediate and personal repair hither to our presence for this our weighty and important service, wherein you are not to fail at your utmost peril. [*Form unfilled in.* $\frac{1}{2}$ p.]

Mar. 55. The like form intended for Archibald Earl of Argyle. [$\frac{1}{2}$ p.]

Mar. 56. The like for John Lord Balmerino. [$\frac{1}{2}$ p.]

Mar. 57. Draft of same in Sec. Windebank's hand. [$\frac{1}{2}$ p.]

[Mar.] 58. Brief of proceedings instituted by the Attorney-General concerning encroachments made on the precincts of his Majesty's Palace of Westminster. The suit being pressed in the Exchequer Chamber, a decree was made for the King, and an injunction awarded, but the then sheriff of Middlesex delayed to demolish the encroachments, Sir Humphrey Styles, who follows this business, being absent with the King in the north. Application being made for renewal of the injunction, the present sheriff for awhile excused his delay, but now he utterly refuses to execute his office, being, as Sir Humphrey believes, dealt withal by the defendants in the suit. Sir Humphrey requests that, in consideration of his great expense and trouble in this business, and in regard he demands nothing but justice for the King, and that no other but such as the laws afford between subject and subject, that he may be assisted in this his service for his Majesty, and that the sheriffs may be punished for their neglect of their duties and contempt of his Majesty's authority. [$1\frac{1}{2}$ p.]

Mar. 59. Note of documents concerning Recusants, viz., a special plea and a confession of the same plea by the Attorney-General for Sir Edward Carey, of Exeter, and Margerie, his wife, upon a composition for Recusancy at the rent of 136*l.* 13*s.* 4*d.*, for two parts of his lands. A letter of grace for Lady Catherine, wife of Thomas, now Lord Windsor, dated 7th Feb. 1638-9. The enrolment of the letters patent upon a composition for Recusancy made with Sir Anthony Roper de Farningham, in co. Kent, for himself and his wife. [$\frac{2}{3}$ p.]

[Mar.] 60. Sir Edward Bramfield and Dr. Daniel Featley, Justices of Peace for Surrey, to the Council. We have received a reference

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from you, dated the Inner Star Chamber, Nov. 20th, 1639, requiring us to call before us Bartholomew Hall, keeper of the Marshalsea, and William Davis, turnkey there, and as many of their witnesses as have not been heard already, and to hear what they can say therein, and, upon full examination of the business, to report to the Board. In obedience thereto we have called before us Hall and Davis, with their witnesses. All the witnesses say is, that Davis told Harwell that the prisoners would be more enraged at his coming than they were, and that if he would go in, he should go upon his own peril; to which testimony, being proved to the contrary by Richard Wright, hereafter following, we give no great credit, and the rather for that it proceeds from them, being but three, who at Harwell's coming in were and now are prisoners; two whereof were as forward, for aught appears, in the tumultuous outrage as any of the rest, and howsoever they prove not that the constable was not commanded by the justice to go in. Moreover it is alleged in the petition of Hall and Davis that Harwell received his injuries through his own forwardness, and by the affidavit annexed to the said petition it is pretended that Hall and Davis never had any notice of the reference granted by your Lordships to us concerning Francis Harwell, nor of any time of meeting us in this business. We certify that both the petition and affidavit are untrue. For we are fully satisfied that Harwell went not to the said prison voluntarily, but upon command of Richard Wright, justice of peace of the corporation, who testified under his hand that there was no violence used in the going in, nor no dissuasive words by Davis to the contrary, but that they were let in peaceably and could not get out, but were beaten and misused. Wright went in and got out before the constable. Their affidavit is untrue, for we sent for them both, but Davis only came, saying that Hall, being busy in the Marshalsea Court, desired to be excused from his personal attendance. [1 p.]

[Mar.]

61. Certificate signed by Sir Nicholas Martyn, sheriff of co. Devon, setting out in a tabular form the particular sums rated and assessed on every parish and tithing within that county for raising of 7,720*l.* ship-money, besides 1,280*l.* laid on the city of Exeter and corporations within the said county, together with the particular sums whereat every clergyman was taxed in 1639. [17 pp.]

[Mar. ?]

62. Brief in a suit in the Court of Arches *ex parte* Sir Thomas Holland, Knt., against [Sir Arthur] Terringham and others, touching a license granted by several bishops of Bangor to Sir Thomas and his father to build and annex a chapel to the chancel of the parish church of Llanfihangel-Esceifiog, co. Anglesey, for his own use, notwithstanding his residence, Berowe House, is situated at Lourden, in the neighbouring parish of Llanidan, that church being three miles distant, whilst Esceifiog is only one mile. [18 pp.]

[Mar.]

63. Brief in a suit in the Court of Exchequer, prosecuted by the Attorney-General on the part of the Crown, by way of information

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against William Hugessen and Richard Sladden, the former being son of Sir James Hugessen, lord of the manor of Walmer, in Kent [see Feb. 8, vol. ccccxliv., No. 61]. The parties named above hold certain secret estates under Sir James, and by colour thereof have, without any good right and title, intruded into certain grounds lying between the outward part of the moat of Walmer Castle and the sea, and do claim the same as belonging to the manor. [17 pp.]

[Mar.] 64. Abstract of the proceedings in the above suit concerning Walmer Castle, co. Kent. Points contained in the information of the Attorney-General, with the defendant's answers, and the proofs *ex parte* complainant. [1 p.]

[Mar.] 65. Map or plan of Walmer Castle, showing the position of the wall built to defend the castle from the encroachments of the sea, and the ground pretended to belong to the lord of the manor.

THE HISTORY OF THE
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FROM 1630 TO 1800

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CALENDAR OF STATE PAPERS, DOMESTIC SERIES, OF THE REIGN OF CHARLES I., preserved in Her Majesty's Public Record Office. *Edited by* WILLIAM DOUGLAS HAMILTON, Esq., F.S.A. Vol. XVI.—1640.

CALENDAR OF STATE PAPERS AND DESPATCHES relating to the Affairs of France, preserved in the Archives of France. *Edited by* HENRY SAVAN. Vol. VI.—1555-1565.

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CALENDAR OF STATE PAPERS, DOMESTIC SERIES, OF THE REIGN OF CHARLES I., preserved in Her Majesty's Public Record Office, London. *Edited by* WILLIAM DOUGLAS HAMILTON, Esq., F.S.A. Vol. IV.—1640-1649.

CALENDAR OF LETTERS AND DESPATCHES, OF THE REIGN OF HENRY VIII., preserved in Her Majesty's Public Record Office, London. *Edited by* J. C. BROWNE, M.A., Professor of English Literature, King's College, London. Vol. V.—1555-1565.

CALENDAR OF STATE PAPERS, DOMESTIC SERIES, OF THE REIGN OF CHARLES I., preserved in Her Majesty's Public Record Office, London. *Edited by* WILLIAM DOUGLAS HAMILTON, Esq., F.S.A. Vol. V.—1650-1659.

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CALENDAR OF STATE PAPERS, DOMESTIC SERIES, OF THE REIGN OF CHARLES I., preserved in Her Majesty's Public Record Office, London. *Edited by* WILLIAM DOUGLAS HAMILTON, Esq., F.S.A. Vol. VII.—1660-1669.

CALENDAR OF STATE PAPERS, DOMESTIC SERIES, OF THE REIGN OF CHARLES I., preserved in Her Majesty's Public Record Office, London. *Edited by* WILLIAM DOUGLAS HAMILTON, Esq., F.S.A. Vol. VIII.—1670-1679.

CALENDAR OF STATE PAPERS, DOMESTIC SERIES, OF THE REIGN OF CHARLES I., preserved in Her Majesty's Public Record Office, London. *Edited by* WILLIAM DOUGLAS HAMILTON, Esq., F.S.A. Vol. IX.—1680-1689.

CALENDAR OF STATE PAPERS, DOMESTIC SERIES, OF THE REIGN OF CHARLES I., preserved in Her Majesty's Public Record Office, London. *Edited by* WILLIAM DOUGLAS HAMILTON, Esq., F.S.A. Vol. X.—1690-1699.

CALENDAR OF STATE PAPERS, DOMESTIC SERIES, OF THE REIGN OF CHARLES I., preserved in Her Majesty's Public Record Office, London. *Edited by* WILLIAM DOUGLAS HAMILTON, Esq., F.S.A. Vol. XI.—1700-1709.

CALENDAR OF STATE PAPERS, DOMESTIC SERIES, OF THE REIGN OF CHARLES I., preserved in Her Majesty's Public Record Office, London. *Edited by* WILLIAM DOUGLAS HAMILTON, Esq., F.S.A. Vol. XII.—1710-1719.

THE CHRONICLES AND MEMORIALS OF GREAT BRITAIN
AND IRELAND DURING THE MIDDLE AGES.

[ROYAL 8vo., half-bound. Price 10s. each Volume or Part.]

On 25 July 1822, the House of Commons presented an address to the Crown, stating that the editions of the works of our ancient historians were inconvenient and defective; that many of their writings still remained in manuscript, and, in some cases, in a single copy only. They added, "that an uniform and convenient edition of the whole, published under His Majesty's royal sanction, would be an undertaking honourable to His Majesty's reign, and conducive to the advancement of historical and constitutional knowledge; that the House therefore humbly besought His Majesty, that He would be graciously pleased to give such directions as His Majesty, in His wisdom, might think fit, for the publication of a complete edition of the ancient historians of this realm, and assured His Majesty that whatever expense might be necessary for this purpose would be made good."

The Master of the Rolls, being very desirous that effect should be given to the resolution of the House of Commons, submitted to Her Majesty's Treasury in 1857 a plan for the publication of the ancient chronicles and memorials of the United Kingdom, and it was adopted accordingly. In selecting these works, it was considered right, in the first instance, to give preference to those of which the manuscripts were unique, or the materials of which would help to fill up blanks in English history for which no satisfactory and authentic information hitherto existed in any accessible form. One great object the Master of the Rolls had in view was to form a *corpus historicum* within reasonable limits, and which should be as complete as possible. In a subject of so vast a range, it was important that the historical student should be able to select such volumes as conformed with his own peculiar tastes and studies, and not be put to the expense of purchasing the whole collection; an inconvenience inseparable from any other plan than that which has been in this instance adopted.

Of the Chronicles and Memorials, the following volumes have been published. They embrace the period from the earliest time of British history down to the end of the reign of Henry VII.

1. **THE CHRONICLE OF ENGLAND**, by JOHN CAPGRAVE. *Edited by the Rev. F. C. HINGESTON, M.A., of Exeter College, Oxford.* 1858.

Capgrave was prior of Lynn, in Norfolk, and provincial of the order of the Friars Hermits of England shortly before the year 1464. His Chronicle extends from the creation of the world to the year 1417. As a record of the language spoken in Norfolk (being written in English), it is of considerable value.

2. **CHRONICON MONASTERII DE ABINGDON.** Vols. I. and II. *Edited by the Rev. JOSEPH STEVENSON, M.A., of University College, Durham, and Vicar of Leighton Buzzard.* 1858.

This Chronicle traces the history of the great Benedictine monastery of Abingdon in Berkshire, from its foundation by King Ina of Wessex, to the reign of Richard I., shortly after which period the present narrative was drawn up by an inmate of the establishment. The author had access to the title-deeds of the house; and incorporates into his history various charters of the Saxon kings, of great importance as illustrating not only the history of the locality but that of the kingdom. The work is printed for the first time.

3. **LIVES OF EDWARD THE CONFESSOR.** I.—*La Estoire de Seint Aedward le Rei.* II.—*Vita Beati Edvardi Regis et Confessoris.* III.—*Vita Æduuardi Regis qui apud Westmonasterium requiescit.* *Edited by HENRY RICHARDS LUARD, M.A., Fellow and Assistant Tutor of Trinity College, Cambridge.* 1858.

The first is a poem in Norman French, containing 4,686 lines, addressed to Alianor, Queen of Henry III., and probably written in the year 1245, on the occasion of the restoration of the church of Westminster. Nothing is known of the author. The second is an anonymous poem, containing 536 lines, written between the years 1440 and 1450, by command of Henry VI., to whom it is dedicated. It does not throw any new light on the reign of Edward the Confessor, but is valuable as a specimen of the Latin poetry of the time. The third, also by an anonymous author, was apparently written for Queen Edith, between the years 1066 and 1074, during the pressure of the suffering brought on the Saxons by the Norman conquest. It notices many facts not found in other writers, and some which differ considerably from the usual accounts.

4. **MONUMENTA FRANCISCANA ;** scilicet, I.—*Thomas de Eccleston de Adventu Fratrum Minorum in Angliam.* II.—*Adæ de Marisco Epistolæ.* III.—*Registrum Fratrum Minorum Londoniæ.* *Edited by J. S. BREWER, M.A., Professor of English Literature, King's College, London.* 1858.

This volume contains original materials for the history of the settlement of the order of Saint Francis in England, the letters of Adam de Marisco, and other papers connected with the foundation and diffusion of this great body. It has been the aim of the editor to collect whatever historical information could be found in this country, towards illustrating a period of the national history for which only scanty materials exist. None of these have been before printed.

5. **FASCICULI ZIZANIORUM MAGISTRI JOHANNIS WYCLIF CUM TRITICO.** Ascribed to THOMAS NETTER, of WALDEN, Provincial of the Carmelite Order in England, and Confessor to King Henry the Fifth. *Edited by the Rev. W. W. SHIRLEY, M.A., Tutor and late Fellow of Wadham College, Oxford.* 1858.

This work derives its principal value from being the only contemporaneous account of the rise of the Lollards. When written, the disputes of the school-

men had been extended to the field of theology, and they appear both in the writings of Wycliff and in those of his adversaries. Wycliff's little bundles of tares are not less metaphysical than theological, and the conflict between Nominalists and Realists rages side by side with the conflict between the different interpreters of Scripture. The work gives a good idea of the controversies at the end of the 14th and the beginning of the 15th centuries.

6. **THE BUIK OF THE CRONICLIS OF SCOTLAND ; or, A Metrical Version of the History of Hector Boece ;** by WILLIAM STEWART. Vols. I., II., and III. *Edited by* W. B. TURNBULL, Esq., of Lincoln's Inn, Barrister-at-Law. 1858.

This is a metrical translation of a Latin Prose Chronicle, and was written in the first half of the 16th century. The narrative begins with the earliest legends, and ends with the death of James I. of Scotland, and the "evil ending of the traitors that slew him." Strict accuracy of statement is not to be looked for in such a work as this ; but the stories of the colonization of Spain, Ireland, and Scotland are interesting if not true ; and the chronicle is valuable as a reflection of the manners, sentiments, and character of the age in which it was composed. The peculiarities of the Scottish dialect are well illustrated in this metrical version, and the student of language will find ample materials for comparison with the English dialects of the same period, and with modern lowland Scotch.

7. **JOHANNIS CAPGRAVE LIBER DE ILLUSTRIBUS HENRICIS.** *Edited by* the Rev. F. C. HINGESTON, M.A., of Exeter College, Oxford. 1858.

This work is dedicated to Henry VI. of England, who appears to have been, in the author's estimation, the greatest of all the Henries. It is divided into three distinct parts, each having its own separate dedication. The first part relates only to the history of the Empire, and extends from the election of Henry I., the Fowler, to the end of the reign of the Emperor Henry VI. The second part is devoted to English history, and extends from the accession of Henry I. in the year 1100, to the year 1446, which was the twenty-fourth year of the reign of King Henry VI. The third part contains the lives of illustrious men who have borne the name of Henry in various parts of the world.

Capgrave was born in 1393, in the reign of Richard II., and lived during the Wars of the Roses, for the history of which period his work is of some value.

8. **HISTORIA MONASTERII S. AUGUSTINI CANTUARIENSIS,** by THOMAS OF ELMHAM, formerly Monk and Treasurer of that Foundation. *Edited by* CHARLES HARDWICK, M.A., Fellow of St. Catharine's Hall, and Christian Advocate in the University of Cambridge. 1858.

This history extends from the arrival of St. Augustine in Kent until 1191. Prefixed is a chronology as far as 1418, which shows in outline what was to have been the character of the work when completed. The only copy known is in the possession of Trinity Hall, Cambridge. The author was connected with Norfolk, and most probably with Elmham, whence he derived his name.

9. **EULOGIUM (HISTORIARUM SIVE TEMPORIS) : Chronicon ab Orbe condito usque ad Annum Domini 1366 ;** a Monacho quodam Malmesbiriensi exaratum. Vols. I., II., and III. *Edited by* F. S. HAYDON, Esq., B.A. 1858-1863.

This is a Latin Chronicle extending from the Creation to the latter part of the reign of Edward III., and written by a monk of the Abbey of Malmesbury, in Wiltshire, about the year 1367. A continuation, carrying the history of England down to the year 1413, was added in the former half of the fifteenth century by an author whose name is not known. The original Chronicle is divided into five books, and contains a history of the world generally, but more especially

of England to the year 1366. The continuation extends the history down to the coronation of Henry V. The Eulogium itself is chiefly valuable as containing a history, by a contemporary, of the period between 1356 and 1366. The notices of events appear to have been written very soon after their occurrence. Among other interesting matter, the Chronicle contains a diary of the Poitiers campaign, evidently furnished by some person who accompanied the army of the Black Prince. The continuation of the Chronicle is also the work of a contemporary, and gives a very interesting account of the reigns of Richard II. and Henry IV. It is believed to be the earliest authority for the statement that the latter monarch died in the Jerusalem Chamber at Westminster.

10. MEMORIALS OF HENRY THE SEVENTH: Bernardi Andreae Tholosatis Vita Regis Henrici Septimi; necnon alia quædam ad eundem Regem spectantia. Edited by JAMES GAIRDNER, Esq. 1858.

The contents of this volume are—(1) a life of Henry VII., by his poet laureate and historiographer, Bernard André, of Toulouse, with some compositions in verse, of which he is supposed to have been the author; (2) the journals of Roger Machado during certain embassies on which he was sent by Henry VII. to Spain and Brittany, the first of which had reference to the marriage of the King's son, Arthur, with Catharine of Arragon; (3) two curious reports by envoys sent to Spain in the year 1505 touching the succession to the Crown of Castile, and a project of marriage between Henry VII. and the Queen of Naples; and (4) an account of Philip of Castile's reception in England in 1506. Other documents of interest in connexion with the period are given in an appendix.

11. MEMORIALS OF HENRY THE FIFTH. I.—Vita Henrici Quinti, Roberto Redmanno auctore. II.—Versus Rhythmici in laudem Regis Henrici Quinti. III.—Elmhami Liber Metricus de Henrico V. Edited by CHARLES A. COLE, Esq. 1858.

This volume contains three treatises which more or less illustrate the history of the reign of Henry V., viz.: A Life by Robert Redman; a Metrical Chronicle by Thomas Elmham, prior of Lenton, a contemporary author; Versus Rhythmici, written apparently by a monk of Westminster Abbey, who was also a contemporary of Henry V. These works are printed for the first time.

12. MUNIMENTA GILDHALLÆ LONDONIENSIS; Liber Albus, Liber Custumarum, et Liber Horn, in archivis Gildhallæ asservati. Vol. I. Liber Albus. Vol. II. (in Two Parts), Liber Custumarum. Vol. III., Translation of the Anglo-Norman Passages in Liber Albus, Glossaries, Appendices, and Index. Edited by HENRY THOMAS RILEY, Esq., M.A., Barrister-at-Law. 1859-1862.

The manuscript of the *Liber Albus*, compiled by John Carpenter, Common Clerk of the City of London in the year 1419, a large folio volume, is preserved in the Record Room of the City of London. It gives an account of the laws, regulations, and institutions of that City in the twelfth, thirteenth, fourteenth, and early part of the fifteenth centuries.

The *Liber Custumarum* was compiled probably by various hands in the early part of the fourteenth century during the reign of Edward II. The manuscript, a folio volume, is also preserved in the Record Room of the City of London, though some portion in its original state, borrowed from the City in the reign of Queen Elizabeth and never returned, forms part of the Cottonian MS. Claudius D. II. in the British Museum. It also gives an account of the laws, regulations, and institutions of the City of London in the twelfth, thirteenth, and early part of the fourteenth centuries.

13. CHRONICA JOHANNIS DE OXENEDES. Edited by Sir HENRY ELLIS, K.H. 1859.

Although this Chronicle tells of the arrival of Hengist and Horsa in England in the year 449, yet it substantially begins with the reign of King Alfred, and

comes down to the year 1292, where it ends abruptly. The history is particularly valuable for notices of events in the eastern portions of the kingdom, which are not to be elsewhere obtained, and some curious facts are mentioned relative to the floods in that part of England, which are confirmed in the Friesland Chronicle of Anthony Heinrich, pastor of the Island of Mohr.

14. A COLLECTION OF POLITICAL POEMS AND SONGS RELATING TO ENGLISH HISTORY, FROM THE ACCESSION OF EDWARD III. TO THE REIGN OF HENRY VIII. Vols. I. and II. *Edited by* THOMAS WRIGHT, Esq., M.A. 1859-1861.

These Poems are perhaps the most interesting of all the historical writings of the period, though they cannot be relied on for accuracy of statement. They are various in character; some are upon religious subjects, some may be called satires, and some give no more than a court scandal; but as a whole they present a very fair picture of society, and of the relations of the different classes to one another. The period comprised is in itself interesting, and brings us, through the decline of the feudal system, to the beginning of our modern history. The songs in old English are of considerable value to the philologist.

15. The "OPUS TERTIUM," "OPUS MINUS," &c., of ROGER BACON. *Edited by* J. S. BREWER, M.A., Professor of English Literature, King's College, London. 1859.

This is the celebrated treatise—never before printed—so frequently referred to by the great philosopher in his works. It contains the fullest details we possess of the life and labours of Roger Bacon: also a fragment by the same author, supposed to be unique, the "*Compendium Studii Theologiae*."

16. BARTHOLOMÆI DE COTTON, MONACHI NORWICENSIS, HISTORIA ANGLICANA; 449-1298: necnon ejusdem Liber de Archiepiscopis et Episcopis Angliæ. *Edited by* HENRY RICHARDS LUARD, M.A., Fellow and Assistant Tutor of Trinity College, Cambridge. 1859.

The author, a monk of Norwich, has here given us a Chronicle of England from the arrival of the Saxons in 449 to the year 1298, in or about which year it appears that he died. The latter portion of this history (the whole of the reign of Edward I. more especially) is of great value, as the writer was contemporary with the events which he records. An Appendix contains several illustrative documents connected with the previous narrative.

17. BRUT Y TYWYSOGION; or, The Chronicle of the Princes of Wales. *Edited by* the Rev. JOHN WILLIAMS AB ITHEL, M.A. 1860.

This work, also known as "The Chronicle of the Princes of Wales," has been attributed to Caradoc of Llancarvan, who flourished about the middle of the twelfth century. It is written in the ancient Welsh language, begins with the abdication and death of Caedwala at Rome, in the year 681, and continues the history down to the subjugation of Wales by Edward I., about the year 1282.

18. A COLLECTION OF ROYAL AND HISTORICAL LETTERS DURING THE REIGN OF HENRY IV. 1399-1404. *Edited by* the Rev. F. C. HINGESTON, M.A., of Exeter College, Oxford. 1860.

This volume, like all the others in the series containing a miscellaneous selection of letters, is valuable on account of the light it throws upon biographical history, and the familiar view it presents of characters, manners, and events. The period requires much elucidation; to which it will materially contribute.

19. THE REPRESSOR OF OVER MUCH BLAMING OF THE CLERGY. By REGINALD PECKOCK, sometime Bishop of Chichester. Vols. I. and II. *Edited by* CHURCHILL BABINGTON, B.D., Fellow of St. John's College, Cambridge. 1860.

The "Repressor" may be considered the earliest piece of good theological disquisition of which our English prose literature can boast. The author was born

about the end of the fourteenth century, consecrated Bishop of St. Asaph in the year 1444, and translated to the see of Chichester in 1450. While Bishop of St. Asaph, he zealously defended his brother prelates from the attacks of those who censured the bishops for their neglect of duty. He maintained that it was no part of a bishop's functions to appear in the pulpit, and that his time might be more profitably spent, and his dignity better maintained, in the performance of works of a higher character. Among those who thought differently were the Lollards, and against their general doctrines the "Repressor" is directed. Pecock took up a position midway between that of the Roman Church and that of the modern Anglican Church; but his work is interesting chiefly because it gives a full account of the views of the Lollards and of the arguments by which they were supported, and because it assists us to ascertain the state of feeling which ultimately led to the Reformation. Apart from religious matters, the light thrown upon contemporaneous history is very small, but the "Repressor" has great value for the philologist, as it tells us what were the characteristics of the language in use among the cultivated Englishmen of the fifteenth century. Pecock, though an opponent of the Lollards, showed a certain spirit of toleration, for which he received, towards the end of his life, the usual mediæval reward—persecution.

20. *ANNALES CAMBRIÆ. Edited by the Rev. JOHN WILLIAMS AB ITHEL, M.A. 1860.*

These annals, which are in Latin, commence in the year 447, and come down to the year 1288. The earlier portion appears to be taken from an Irish Chronicle, which was also used by Tigernach, and by the compiler of the Annals of Ulster. During its first century it contains scarcely anything relating to Britain, the earliest direct concurrence with English history is relative to the mission of Augustine. Its notices throughout, though brief, are valuable. The annals were probably written at St. Davids, by Blegewryd, Archdeacon of Llandaff, the most learned man in his day in all Cymru.

21. *THE WORKS OF GIRALDUS CAMBRENSIS. Vols. I., II., III., and IV. Edited by J. S. BREWER, M.A., Professor of English Literature, King's College, London. Vols. V. and VI. Edited by the Rev. JAMES F. DIMOCK, M.A., Rector of Barnburgh, Yorkshire. 1861-1873.*

These volumes contain the historical works of Gerald du Barry, who lived in the reigns of Henry II., Richard I., and John, and attempted to re-establish the independence of Wales by restoring the see of St. Davids to its ancient primacy. His works are of a very miscellaneous nature, both in prose and verse, and are remarkable chiefly for the racy and original anecdotes which they contain relating to contemporaries. He is the only Welsh writer of any importance who has contributed so much to the mediæval literature of this country, or assumed, in consequence of his nationality, so free and independent a tone. His frequent travels in Italy, in France, in Ireland, and in Wales, gave him opportunities for observation which did not generally fall to the lot of mediæval writers in the twelfth and thirteenth centuries, and of these observations Giraldus has made due use. Only extracts from these treatises have been printed before, and almost all of them are taken from unique manuscripts.

The *Topographia Hibernica* (in Vol. V.) is the result of Giraldus' two visits to Ireland. The first in the year 1183, the second in 1185-6, when he accompanied Prince John into that country. Curious as this treatise is, Mr. Dimock is of opinion that it ought not to be accepted as sober truthful history, for Giraldus himself states that truth was not his main object, and that he compiled the work for the purpose of sounding the praises of Henry the Second. Elsewhere, however, he declares that he had stated nothing in the *Topographia* of the truth of which he was not well assured, either by his own eyesight or by the testimony, with all diligence elicited, of the most trustworthy and authentic men in the country; that though he did not put just the same full faith in their reports as in what he had himself seen, yet, as they only related what they had themselves seen, he could not but believe such credible witnesses. A very interesting portion of this treatise is devoted to the animals of Ireland. It shows that he was a very accurate and acute observer, and his descriptions are given in a way that a scientific naturalist of the present day could hardly improve upon. The *Expugnatio Hibernica* was written about the year 1188 and may be regarded rather

as a great epic than a sober relation of acts occurring in his own days. No one can peruse it without coming to the conclusion that it is rather a poetical fiction than a prosaic truthful history.

Vol. VI. contains the *Itinerarium Kambriæ et Descriptio Kambriæ*.

22. **LETTERS AND PAPERS ILLUSTRATIVE OF THE WARS OF THE ENGLISH IN FRANCE DURING THE REIGN OF HENRY THE SIXTH, KING OF ENGLAND.** Vol. I., and Vol. II. (in Two Parts). *Edited by* the Rev. JOSEPH STEVENSON, M.A., of University College, Durham, and Vicar of Leighton Buzzard. 1861-1864.

The letters and papers contained in these volumes are derived chiefly from originals or contemporary copies extant in the Bibliothèque Impériale, and the Dépôt des Archives, in Paris. They illustrate the line of policy adopted by John Duke of Bedford and his successors during their government of Normandy, and such other provinces of France as had been acquired by Henry V. We may here trace, step by step, the gradual declension of the English power, until we are prepared to read of its final overthrow.

23. **THE ANGLO-SAXON CHRONICLE, ACCORDING TO THE SEVERAL ORIGINAL AUTHORITIES.** Vol. I., Original Texts. Vol. II., Translation. *Edited and translated by* BENJAMIN THORPE, Esq., Member of the Royal Academy of Sciences at Munich, and of the Society of Netherlandish Literature at Leyden. 1861.

This Chronicle, extending from the earliest history of Britain to the year 1154, is justly the boast of England; for no other nation can produce any history, written in its own vernacular, at all approaching it, either in antiquity, truthfulness, or extent, the historical books of the Bible alone excepted. There are at present six independent manuscripts of the Saxon Chronicle, ending in different years, and written in different parts of the country. In this edition, the text of each manuscript is printed in columns on the same page, so that the student may see at a glance the various changes which occur in orthography, whether arising from locality or age.

24. **LETTERS AND PAPERS ILLUSTRATIVE OF THE REIGNS OF RICHARD III. AND HENRY VII.** Vols. I. and II. *Edited by* JAMES GAIRDNER, Esq. 1861-1863.

The Papers are derived from MSS. in the Public Record Office, the British Museum, and other repositories. The period to which they refer is unusually destitute of chronicles and other sources of historical information, so that the light obtained from these documents is of special importance. The principal contents of the volumes are some diplomatic Papers of Richard III.; correspondence between Henry VII. and Ferdinand and Isabella of Spain; documents relating to Edmund de la Pole, Earl of Suffolk; and a portion of the correspondence of James IV. of Scotland.

25. **LETTERS OF BISHOP GROSSETESTE, illustrative of the Social Condition of his Time.** *Edited by* HENRY RICHARDS LUARD, M.A., Fellow and Assistant Tutor of Trinity College, Cambridge. 1861.

The Letters of Robert Grosseteste (131 in number) are here collected from various sources, and a large portion of them is printed for the first time. They range in date from about 1210 to 1253, and relate to various matters connected not only with the political history of England during the reign of Henry III., but with its ecclesiastical condition. They refer especially to the diocese of Lincoln, of which Grosseteste was bishop.

26. **DESCRIPTIVE CATALOGUE OF MANUSCRIPTS RELATING TO THE HISTORY OF GREAT BRITAIN AND IRELAND.** Vol. I. (in Two Parts); Anterior to the Norman Invasion. Vol. II.; 1066-1200. Vol. III.; 1200-1327. *By* Sir THOMAS DUFFUS HARDY, D.C.L., Deputy Keeper of the Public Records. 1862-1871.

The object of this work is to publish notices of all known sources of British history, both printed and unprinted, in one continued sequence. The materials, when historical (as distinguished from biographical), are arranged under the year in which the latest event is recorded in the chronicle or history, and not

under the period in which its author, real or supposed, flourished. Biographies are enumerated under the year in which the person commemorated died, and not under the year in which the life was written. This arrangement has two advantages; the materials for any given period may be seen at a glance; and if the reader knows the time when an author wrote, and the number of years that had elapsed between the date of the events and the time the writer flourished, he will generally be enabled to form a fair estimate of the comparative value of the narrative itself. A brief analysis of each work has been added when deserving it, in which the original portions are distinguished from those which are mere compilations. When possible, the sources are indicated from which such compilations have been derived. A biographical sketch of the author of each piece has been added, and a brief notice has also been given of such British authors as have written on historical subjects.

27. ROYAL AND OTHER HISTORICAL LETTERS ILLUSTRATIVE OF THE REIGN OF HENRY III. Vol. I., 1216-1235. Vol. II., 1236-1272. *Selected and edited by* the Rev. W. W. SHIRLEY, D.D., Regius Professor in Ecclesiastical History, and Canon of Christ Church, Oxford. 1862-1866.

The letters contained in these volumes are derived chiefly from the ancient correspondence formerly in the Tower of London, and now in the Public Record Office. They illustrate the political history of England during the growth of its liberties, and throw considerable light upon the personal history of Simon de Montfort. The affairs of France form the subject of many of them, especially in regard to the province of Gascony. The entire collection consists of nearly 700 documents, the greater portion of which is printed for the first time.

28. CHRONICA MONASTERII S. ALBANI.—1. THOMÆ WALSINGHAM HISTORIA ANGLICANA; Vol. I., 1272-1381: Vol. II., 1381-1422. 2. WILLELMI RISHANGER CHRONICA ET ANNALES, 1259-1307. 3. JOHANNIS DE TROKELOWE ET HENRICI DE BLANEFORDE CHRONICA ET ANNALES, 1259-1296; 1307-1324; 1392-1406. 4. GESTA ABBATUM MONASTERII S. ALBANI, A THOMA WALSINGHAM, REGNANTE RICARDO SECUNDO, EJUSDEM ECCLESIAE PRÆCENTORE, COMPILATA; Vol. I., 793-1290: Vol. II., 1290-1349: Vol. III., 1349-1411. 5. JOHANNIS AMUNDESHAM, MONACHI MONASTERII S. ALBANI, UT VIDETUR, ANNALES; Vols. I. and II. 6. REGISTRA QUORUNDAM ABBATUM MONASTERII S. ALBANI, QUI SÆCULO XV^{mo} FLORUERE; Vol. I., REGISTRUM ABBATIS JOHANNIS WHETHAMSTEDE, ABBATIS MONASTERII SANCTI ALBANI, ITERUM SUSCEPTÆ; ROBERTO BLAKENEY, CAPELLANO, QUONDAM ADSRIPTUM: Vol. II., REGISTRA JOHANNIS WHETHAMSTEDE, WILLELMI ALBON, ET WILLELMI WALINGFORDE, ABBATUM MONASTERII SANCTI ALBANI, CUM APPENDICE, CONTINENTE QUASDAM EPISTOLAS, A JOHANNE WHETHAMSTEDE CONSCRIPTAS. 7. YPODIGMA NEUSTRIÆ, A THOMA WALSINGHAM, QUONDAM MONACHO MONASTERII S. ALBANI, CONSCRIPTUM. *Edited by* HENRY THOMAS RILEY, Esq., M.A., Cambridge and Oxford; and of the Inner Temple, Barrister-at-Law. 1863-1876.

In the first two volumes is a History of England, from the death of Henry III. to the death of Henry V., by Thomas Walsingham, Precentor of St. Albans, from MS. VII. in the Arundel Collection in the College of Arms, London, a manuscript of the fifteenth century, collated with MS. 13 E. IX. in the King's Library in the British Museum, and MS. VII. in the Parker Collection of Manuscripts at Corpus Christi College, Cambridge.

In the third volume is a Chronicle of English History, attributed to William Rishanger, who lived in the reign of Edward I., from the Cotton MS. Faustina B. IX. in the British Museum, collated with MS. 14 C. VII. (fols. 219-231) in the King's Library, British Museum, and the Cotton MS. Claudius E. III., fols. 306-331: an account of transactions attending the award of the kingdom of Scotland to John Balliol, 1291-1292, from MS. Cotton. Claudius D. VI., also attributed to William Rishanger, but on no sufficient ground: a short Chronicle of English History, 1292 to 1300,

by an unknown hand, from MS. Cotton. Claudius D. VI. : a short Chronicle, Willelmi Rishanger Gesta Edwardi Primi, Regis Angliæ, from MS. 14 C. I. in the Royal Library, and MS. Cotton. Claudius D. VI., with Annales Regum Angliæ, probably by the same hand: and fragments of three Chronicles of English History, 1285 to 1307.

In the fourth volume is a Chronicle of English History, 1259 to 1296, from MS. Cotton. Claudius D. VI. : Annals of Edward II., 1307 to 1323, by John de Trokelowe, a monk of St. Albans, and a continuation of Trokelowe's Annals, 1323, 1324, by Henry de Blanford, both from MS. Cotton. Claudius D. VI. : a full Chronicle of English History, 1392 to 1406, from MS. VII. in the Library of Corpus Christi College, Cambridge; and an account of the Benefactors of St. Albans, written in the early part of the fifteenth century, from MS. VI. in the same Library.

The fifth, sixth, and seventh volumes contain a history of the Abbots of St. Albans, 793 to 1411, mainly compiled by Thomas Walsingham, from MS. Cotton. Claudius E. IV., in the British Museum: with a Continuation, from the closing pages of Parker MS. VII., in the Library of Corpus Christi College, Cambridge.

The eighth and ninth volumes, in continuation of the Annals, contain a Chronicle, probably by John Amundesham, a monk of St. Albans.

The tenth and eleventh volumes relate especially to the acts and proceedings of Abbots Whethamstede, Albon, and Wallingford, and may be considered as a memorial of the chief historical and domestic events during those periods.

The twelfth volume contains a compendious History of England to the reign of Henry V., and of Normandy in early times, also by Thomas Walsingham, and dedicated to Henry V. The compiler has often substituted other authorities in place of those consulted in the preparation of his larger work.

29. *CHRONICON ABBATIE EVESHAMENSIS, AUCTORIBUS DOMINICO PRIORE EVESHAMIE ET THOMA DE MARLEBERGE ABBATE, A FUNDATIONE AD ANNUM 1213, UNA CUM CONTINUATIONE AD ANNUM 1418. Edited by the Rev. W. D. MACRAY, M.A., Bodleian Library, Oxford. 1863.*

The Chronicle of Evesham illustrates the history of that important monastery from its foundation by Egwin, about 690, to the year 1418. Its chief feature is an autobiography, which makes us acquainted with the inner daily life of a great abbey, such as but rarely has been recorded. Interspersed are many notices of general, personal, and local history which will be read with much interest. This work exists in a single MS., and is for the first time printed.

30. *RICARDI DE CIRENCESTRIA SPECULUM HISTORIALE DE GESTIS REGUM ANGLIÆ. Vol. I., 447-871. Vol. II., 872-1066. Edited by JOHN E. B. MAYOR, M.A., Fellow of St. John's College, Cambridge. 1863-1869.*

The compiler, Richard of Cirencester, was a monk of Westminster, 1355-1400. In 1391 he obtained a licence to make a pilgrimage to Rome. His history, in four books, extends from 447 to 1066. He announces his intention of continuing it, but there is no evidence that he completed any more. This chronicle gives many charters in favour of Westminster Abbey, and a very full account of the lives and miracles of the saints, especially of Edward the Confessor, whose reign occupies the fourth book. A treatise on the Coronation, by William of Sudbury, a monk of Westminster, fills book iii. c. 3. It was on this author that C. J. Bertram fathered his forgery, *De Situ Britannia*, in 1747.

31. *YEAR BOOKS OF THE REIGN OF EDWARD THE FIRST. Years 20-21, 21-22, 30-31, and 32-33. Edited and translated by ALFRED JOHN HORWOOD, Esq., of the Middle Temple, Barrister-at-Law. 1863-1873.*

The volumes known as the "Year Books" contain reports in Norman-French of cases argued and decided in the Courts of Common Law. They may be considered to a great extent as the "lex non scripta" of England, and have been held in the highest veneration by the ancient sages of the law, and were received by them as the repositories of the first-recorded judgments and dicta of the great

legal luminaries of past ages. They are also worthy of the attention of the general reader on account of the historical information and the notices of public and private persons which they contain, as well as the light which they throw on ancient manners and customs.

32. **NARRATIVES OF THE EXPULSION OF THE ENGLISH FROM NORMANDY, 1449-1450.**—Robertus Blondelli de Reductione Normanniæ: Le Recouvrement de Normandie, par Berry, Hérault du Roy: Conférences between the Ambassadors of France and England. *Edited, from MSS. in the Imperial Library at Paris, by the Rev. JOSEPH STEVENSON, M.A., of University College, Durham.* 1863.

This volume contains the narrative of an eye-witness who details with considerable power and minuteness the circumstances which attended the final expulsion of the English from Normandy in the year 1450. The history commences with the infringement of the truce by the capture of Fougères, and ends with the battle of Formigny and the embarkation of the Duke of Somerset. The whole period embraced is less than two years.

33. **HISTORIA ET CARTULARIUM MONASTERII S. PETRI GLOUCESTRIÆ.** Vols. I., II., and III. *Edited by W. H. HART, Esq., F.S.A., Membre correspondant de la Société des Antiquaires de Normandie.* 1863-1867.

This work consists of two parts, the History and the Cartulary of the Monastery of St. Peter, Gloucester. The history furnishes an account of the monastery from its foundation, in the year 681, to the early part of the reign of Richard II., together with a calendar of donations and benefactions. It treats principally of the affairs of the monastery, but occasionally matters of general history are introduced. Its authorship has generally been assigned to Walter Froucester, the twentieth abbot, but without any foundation.

- ALEXANDRI NECKAM DE NATURIS RERUM LIBRI DUO; with NECKAM'S POEM, DE LAUDIBUS DIVINÆ SAPIENTIÆ.** *Edited by THOMAS WRIGHT, Esq., M.A.* 1863.

Neckam was a man who devoted himself to science, such as it was in the twelfth century. In the "De Naturis Rerum" are to be found what may be called the rudiments of many sciences mixed up with much error and ignorance. Neckam was not thought infallible, even by his contemporaries, for Roger Bacon remarks of him, "this Alexander in many things wrote what was true and useful; but he neither can nor ought by just title to be reckoned among authorities." Neckam, however, had sufficient independence of thought to differ from some of the schoolmen who in his time considered themselves the only judges of literature. He had his own views in morals, and in giving us a glimpse of them, as well as of his other opinions, he throws much light upon the manners, customs, and general tone of thought prevalent in the twelfth century. The poem entitled "De Laudibus Divinæ Sapientiæ" appears to be a metrical paraphrase or abridgment of the "De Naturis Rerum." It is written in the elegiac metre; and though there are many lines which violate classical rules, it is, as a whole above the ordinary standard of mediæval Latin.

35. **LEECHDOMS, WORTCUNNING, AND STARCRAFT OF EARLY ENGLAND; being a Collection of Documents illustrating the History of Science in this Country before the Norman Conquest.** Vols. I., II., and III. *Collected and edited by the Rev. T. OSWALD COCKAYNE, M.A., of St. John's College, Cambridge.* 1864-1866.

This work illustrates not only the history of science, but the history of superstition. In addition to the information bearing directly upon the medical skill and medical faith of the times, there are many passages which incidentally throw light upon the general mode of life and ordinary diet. The volumes are interesting not only in their scientific, but also in their social aspect. The manuscripts from which they have been printed are valuable to the Anglo-Saxon scholar for the illustrations they afford of Anglo-Saxon orthography.

36. **ANNALES MONASTICI.** Vol. I.:—Annales de Margan, 1066–1232 ; Annales de Theokesberia, 1066–1263 ; Annales de Burton, 1004–1263. Vol. II.:—Annales Monasterii de Wintonia, 519–1277 ; Annales Monasterii de Waverleia, 1–1291. Vol. III.:—Annales Prioratus de Dunstaplia, 1–1297 ; Annales Monasterii de Bermundeseia, 1042–1432. Vol. IV.:—Annales Monasterii de Oseneia, 1016–1347 ; Chronicon vulgo dictum Chronicon Thomæ Wykes, 1066–1289 ; Annales Prioratus de Wigornia, 1–1377. Vol. V.:—Index and Glossary. *Edited by* HENRY RICHARDS LUARD, M.A., Fellow and Assistant Tutor of Trinity College, and Registry of the University, Cambridge. 1864–1869.

The present collection of Monastic Annals embraces all the more important chronicles compiled in religious houses in England during the thirteenth century. These distinct works are ten in number. The extreme period which they embrace ranges from the year 1 to 1432, although they refer more especially to the reigns of John, Henry III., and Edward I. Some of these narratives have already appeared in print, but others are printed for the first time.

37. **MAGNA VITA S. HUGONIS EPISCOPI LINCOLNIENSIS.** From Manuscripts in the Bodleian Library, Oxford, and the Imperial Library, Paris. *Edited by* the Rev. JAMES F. DIMOCK, M.A., Rector of Barnburgh, Yorkshire. 1864.

This work contains a number of very curious and interesting incidents, and being the work of a contemporary, is very valuable, not only as a truthful biography of a celebrated ecclesiastic, but as the work of a man, who, from personal knowledge, gives notices of passing events, as well as of individuals who were then taking active part in public affairs. The author, in all probability, was Adam Abbot of Evesham. He was domestic chaplain and private confessor of Bishop Hugh, and in these capacities was admitted to the closest intimacy. Bishop Hugh was Prior of Witham for 11 years before he became Bishop of Lincoln. His consecration took place on the 21st September 1186 ; he died on the 16th of November 1200 ; and was canonized in 1220.

38. **CHRONICLES AND MEMORIALS OF THE REIGN OF RICHARD THE FIRST.** Vol. I.:—ITINERARIUM PEREGRINORUM ET GESTA REGIS RICARDI. Vol. II.:—EPISTOLÆ CANTUARIENSES ; the Letters of the Prior and Convent of Christ Church, Canterbury ; 1187 to 1199. *Edited by* WILLIAM STUBBS, M.A., Vicar of Navestock, Essex, and Lambeth Librarian. 1864–1865.

The authorship of the Chronicle in Vol. I., hitherto ascribed to Geoffrey Vinesauf, is now more correctly ascribed to Richard, Canon of the Holy Trinity of London. The narrative extends from 1187 to 1199 ; but its chief interest consists in the minute and authentic narrative which it furnishes of the exploits of Richard I., from his departure from England in December 1189 to his death in 1199. The author states in his prologue that he was an eye-witness of much that he records ; and various incidental circumstances which occur in the course of the narrative confirm this assertion.

The letters in Vol. II., written between 1187 and 1199, are of value as furnishing authentic materials for the history of the ecclesiastical condition of England during the reign of Richard I. They had their origin in a dispute which arose from the attempts of Baldwin and Hubert, archbishops of Canterbury, to found a college of secular canons, a project which gave great umbrage to the monks of Canterbury, who saw in it a design to supplant them in their function of metropolitan chapter. These letters are printed, for the first time, from a MS. belonging to the archiepiscopal library at Lambeth.

39. **RECUEIL DES CRONIKES ET ANCHIENNES ISTORIES DE LA GRANT BRETAGNE A PRESENT NOMME ENGLETERRE,** par JEHAN DE WAURIN. Vol. I.

Albina to 688. Vol. II., 1399-1422. *Edited by WILLIAM HARDY, Esq., F.S.A.* 1864-1868.

40. A COLLECTION OF THE CHRONICLES AND ANCIENT HISTORIES OF GREAT BRITAIN, NOW CALLED ENGLAND, by JOHN DE WAVRIN. Albina to 688. (Translation of the preceding Vol. I.) *Edited and translated by WILLIAM HARDY, Esq., F.S.A.* 1864.

This curious chronicle extends from the fabulous period of history down to the return of Edward IV. to England in the year 1471, after the second deposition of Henry VI. The manuscript from which the text of the work is taken is preserved in the Imperial Library at Paris, and is believed to be the only complete and nearly contemporary copy in existence. The work, as originally bound, was comprised in six volumes, since rebound in morocco in 12 volumes, folio maximo, vellum, and is illustrated with exquisite miniatures, vignettes, and initial letters. It was written towards the end of the fifteenth century, having been expressly executed for Louis de Bruges, Seigneur de la Gruthuyse and Earl of Winchester, from whose cabinet it passed into the library of Louis XII. at Blois.

41. POLYCHRONICON RANULPHI HIGDEN, with Trevisa's Translation. Vols. I. and II. *Edited by CHURCHILL BABINGTON, B.D., Senior Fellow of St. John's College, Cambridge.* Vols. III., IV., V., and VI. *Edited by the Rev. JOSEPH RAWSON LUMBY, B.D., Vicar of St. Edward's, Cambridge, Fellow of St. Catharine's College, and late Fellow of Magdalene College, Cambridge.* 1865-1876.

This is one of the many mediæval chronicles which assume the character of a history of the world. It begins with the creation, and is brought down to the author's own time, the reign of Edward III. Prefixed to the historical portion, is a chapter devoted to geography, in which is given a description of every known land. To say that the Polychronicon was written in the fourteenth century is to say that it is not free from inaccuracies. It has, however, a value apart from its intrinsic merits. It enables us to form a very fair estimate of the knowledge of history and geography which well-informed readers of the fourteenth and fifteenth centuries possessed, for it was then the standard work on general history.

The two English translations, which are printed with the original Latin, afford interesting illustrations of the gradual change of our language, for one was made in the fourteenth century, the other in the fifteenth. The differences between Trevisa's version and that of the unknown writer are often considerable.

42. LE LIVRE DE REIS DE BRITTANIE E LE LIVRE DE REIS DE ENGLETERE. *Edited by JOHN GLOVER, M.A., Vicar of Brading, Isle of Wight, formerly Librarian of Trinity College, Cambridge.* 1865.

These two treatises, though they cannot rank as independent narratives, are nevertheless valuable as careful abstracts of previous historians, especially "Le Livre de Reis de Engleterre." Some various readings are given which are interesting to the philologist as instances of semi-Saxonized French.

It is supposed that Peter of Ickham must have been the author, but no certain conclusion on that point has been arrived at.

43. CHRONICA MONASTERII DE MELSA, AB ANNO 1150 USQUE AD ANNUM 1406. Vols. I., II., and III. *Edited by EDWARD AUGUSTUS BOND, Esq., Assistant Keeper of the Manuscripts, and Egerton Librarian, British Museum.* 1866-1868.

The Abbey of Meaux was a Cistercian house, and the work of its abbot is both curious and valuable. It is a faithful and often minute record of the establishment of a religious community, of its progress in forming an ample revenue, of its struggles to maintain its acquisitions, and of its relations to the governing institutions of the country. In addition to the private affairs of the monastery, some light is thrown upon the public events of the time, which are however kept distinct, and appear at the end of the history of each abbot's administration. The text has been printed from what is said to be the autograph of the original compiler, Thomas de Burton, the nineteenth abbot.

44. **MATTHÆI PARISIENSIS HISTORIA ANGLORUM, SIVE, UT VULGO DICITUR, HISTORIA MINOR.** Vols. I., II., and III. 1067-1253. *Edited by Sir FREDERIC MADDEN, K.H., Keeper of the Department of Manuscripts, British Museum.* 1866-1869.

The exact date at which this work was written is, according to the chronicler, 1250. The history is of considerable value as an illustration of the period during which the author lived, and contains a good summary of the events which followed the Conquest. This minor chronicle is, however, based on another work (also written by Matthew Paris) giving fuller details, which has been called the "Historia Major." The chronicle here published, nevertheless, gives some information not to be found in the greater history.

45. **LIBER MONASTERII DE HYDA: A CHRONICLE AND CHARTULARY OF HYDE ABBEY, WINCHESTER, 455-1023.** *Edited, from a Manuscript in the Library of the Earl of Macclesfield, by EDWARD EDWARDS, Esq.* 1866.

The "Book of Hyde" is a compilation from much earlier sources which are usually indicated with considerable care and precision. In many cases, however, the Hyde chronicler appears to correct, to qualify, or to amplify—either from tradition or from sources of information not now discoverable—the statements, which, in substance, he adopts. He also mentions, and frequently quotes from writers whose works are either entirely lost or at present known only by fragments.

There is to be found, in the "Book of Hyde," much information relating to the reign of King Alfred which is not known to exist elsewhere. The volume contains some curious specimens of Anglo-Saxon and Mediæval English.

46. **CHRONICON SCOTORUM: A CHRONICLE OF IRISH AFFAIRS, from the EARLIEST TIMES to 1135; with a SUPPLEMENT, containing the Events from 1141 to 1150.** *Edited, with a Translation, by WILLIAM MAUNSELL HENNESSY, Esq., M.R.I.A.* 1866.

There is, in this volume, a legendary account of the peopling of Ireland and of the adventures which befell the various heroes who are said to have been connected with Irish history. The details are, however, very meagre both for this period and for the time when history becomes more authentic. The plan adopted in the chronicle gives the appearance of an accuracy to which the earlier portions of the work cannot have any claim. The succession of events is marked, year by year, from A.M. 1599 to A.D. 1150. The principal events narrated in the later portion of the work are, the invasions of foreigners, and the wars of the Irish among themselves. The text has been printed from a MS. preserved in the library of Trinity College, Dublin, written partly in Latin, partly in Irish.

47. **THE CHRONICLE OF PIERRE DE LANGTOFT, IN FRENCH VERSE, FROM THE EARLIEST PERIOD TO THE DEATH OF EDWARD I.** Vols. I. and II. *Edited by THOMAS WRIGHT, Esq., M.A.* 1866-1868.

It is probable that Pierre de Langtoft was a canon of Bridlington, in Yorkshire, and that he lived in the reign of Edward I., and during a portion of the reign of Edward II. This chronicle is divided into three parts; in the first is an abridgment of Geoffrey of Monmouth's "Historia Britonum," in the second, a history of the Anglo-Saxon and Norman kings, down to the death of Henry III., and in the third a history of the reign of Edward I. The principal object of the work was apparently to show the justice of Edward's Scottish wars. The language is singularly corrupt, and a curious specimen of the French of Yorkshire.

48. **THE WAR OF THE GAEDHIL WITH THE GAILL, or, THE INVASIONS OF IRELAND BY THE DANES AND OTHER NORSEMEN.** *Edited, with a Translation, by JAMES HENTHORN TODD D.D., Senior Fellow of Trinity College, and Regius Professor of Hebrew in the University, Dublin.* 1867.

The work in its present form, in the editor's opinion, is a comparatively modern version of an undoubtedly ancient original. That it was compiled from contemporary materials has been proved by curious incidental evidence. It is stated in

the account given of the battle of Clontarf that the full tide in Dublin Bay on the day of the battle (23 April 1014) coincided with sunrise; and that the returning tide in the evening aided considerably in the defeat of the Danes. The fact has been verified by astronomical calculations, and the inference is that the author of the chronicle, if not himself an eye-witness, must have derived his information from those who were eye-witnesses. The contents of the work are sufficiently described in its title. The story is told after the manner of the Scandinavian Sagas, with poems and fragments of poems introduced into the prose narrative.

49. *GESTA REGIS HENRICI SECUNDI BENEDICTI ABBATIS. THE CHRONICLE OF THE REIGNS OF HENRY II. AND RICHARD I., 1169-1192; known under the name of BENEDICT OF PETERBOROUGH. Vols. I. and II. Edited by WILLIAM STUBBS, M.A., Regius Professor of Modern History, Oxford, and Lambeth Librarian. 1867.*

This chronicle of the reigns of Henry II. and Richard I., known commonly under the name of Benedict of Peterborough, is one of the best existing specimens of a class of historical compositions of the first importance to the student.

50. *MUNIMENTA ACADEMICA, OR, DOCUMENTS ILLUSTRATIVE OF ACADEMICAL LIFE AND STUDIES AT OXFORD (in Two Parts). Edited by the Rev. HENRY ANSTEY, M.A., Vicar of St. Wendron, Cornwall, and lately Vice-Principal of St. Mary Hall, Oxford. 1868.*

This work will supply materials for a History of Academical Life and Studies in the University of Oxford during the 13th, 14th, and 15th centuries.

51. *CHRONICA MAGISTRI ROGERI DE HOVEDENE. Vols. I., II., III., and IV. Edited by WILLIAM STUBBS, M.A., Regius Professor of Modern History, and Fellow of Oriel College, Oxford. 1868-1871.*

This work has long been justly celebrated, but not thoroughly understood until Mr. Stubbs' edition. The earlier portion, extending from 732 to 1148, appears to be a copy of a compilation made in Northumbria about 1161, to which Hoveden added little. From 1148 to 1169—a very valuable portion of this work—the matter is derived from another source, to which Hoveden appears to have supplied little, and not always judiciously. From 1170 to 1192 is the portion which corresponds with the Chronicle known under the name of Benedict of Peterborough (see No. 49); but it is not a copy, being sometimes an abridgment, at others a paraphrase; occasionally the two works entirely agree; showing that both writers had access to the same materials, but dealt with them differently. From 1192 to 1201 may be said to be wholly Hoveden's work: it is extremely valuable, and an authority of the first importance.

52. *WILLELMI MALMESBIRIENSIS MONACHI DE GESTIS PONTIFICUM ANGLO-RUM LIBRI QUINQUE. Edited, from William of Malmesbury's Autograph MS., by N. E. S. A. HAMILTON, Esq., of the Department of Manuscripts, British Museum. 1870.*

William of Malmesbury's "Gesta Pontificum" is the principal foundation of English Ecclesiastical Biography, down to the year 1122. The manuscript which has been followed in this Edition is supposed by Mr. Hamilton to be the author's autograph, containing his latest additions and amendments.

53. *HISTORIC AND MUNICIPAL DOCUMENTS OF IRELAND, FROM THE ARCHIVES OF THE CITY OF DUBLIN, &c. 1172-1320. Edited by JOHN T. GILBERT, Esq., F.S.A., Secretary of the Public Record Office of Ireland. 1870.*

A collection of original documents, elucidating mainly the history and condition of the municipal, middle, and trading classes under or in relation with the rule of England in Ireland,—a subject hitherto in almost total obscurity. Extending over the first hundred and fifty years of the Anglo-Norman settlement, the series includes charters, municipal laws and regulations, rolls of names of citizens and members of merchant-guilds, lists of commodities with their rates, correspondence, illustrations of relations between ecclesiastics and laity; together with many documents exhibiting the state of Ireland during the presence there of the Scots under Robert and Edward Bruce.

54. **THE ANNALS OF LOCH CÉ. A CHRONICLE OF IRISH AFFAIRS, FROM 1014 to 1590.** Vols. I. and II. *Edited, with a Translation, by WILLIAM MAUNSELL HENNESSY, Esq., M.R.I.A.* 1871.

The original of this chronicle has passed under various names. The title of "Annals of Loch Cé" was given to it by Professor O'Curry, on the ground that it was transcribed for Brian Mac Dermot, an Irish chieftain, who resided on an island in Loch Cé, in the county of Roscommon. It adds much to the materials for the civil and ecclesiastical history of Ireland; and contains many curious references to English and foreign affairs, not noticed in any other chronicle.

55. **MONUMENTA JURIDICA. THE BLACK BOOK OF THE ADMIRALTY, WITH APPENDICES.** Vols. I., II., III., and IV. *Edited by SIR TRAVERS TWISS, Q.C., D.C.L.* 1871-1876.

This book contains the ancient ordinances and laws relating to the navy, and was probably compiled for the use of the Lord High Admiral of England. Selden calls it the "jewel of the Admiralty Records." Prynne ascribes to the Black Book the same authority in the Admiralty as the Black and Red Books have in the Court of Exchequer, and most English writers on maritime law recognize its importance.

56. **MEMORIALS OF THE REIGN OF HENRY VI.:—OFFICIAL CORRESPONDENCE OF THOMAS BEKYNTON, SECRETARY TO HENRY VI., AND BISHOP OF BATH AND WELLS.** *Edited, from a MS. in the Archiepiscopal Library at Lambeth, with an Appendix of Illustrative Documents, by the Rev. GEORGE WILLIAMS, B.D., Vicar of Ringwood, late Fellow of King's College, Cambridge.* Vols. I. and II. 1872.

These curious volumes are of a very miscellaneous character, and were probably compiled under the immediate direction of Bekynton before he had attained to the Episcopate. They contain many of the Bishop's own letters, and several written by him in the King's name; as well as letters sent to himself while he was the Royal Secretary, and others addressed to the King. This work elucidates some obscure points in the history of the nation during the first half of the fifteenth century.

57. **MATTHÆI PARISIENSIS, MONACHI SANCTI ALBANI, CHRONICA MAJORA.** Vol. I. The Creation to A.D. 1066. Vol. II. A.D. 1067 to A.D. 1216. Vol. III. A.D. 1216 to A.D. 1239. *Edited by HENRY RICHARDS LUARD, B.D., Fellow of Trinity College, Registry of the University, and Vicar of Great St. Mary's, Cambridge.* 1872-1876.

This work contains the "Chronica Majora" of Matthew Paris, one of the most valuable and frequently consulted of the ancient English Chronicles. It is published from its commencement, for the first time. The editions by Archbishop Parker, and William Wats, severally begin at the Norman Conquest.

58. **MEMORIALE FRATRIS WALTERI DE COVENTRIA.—THE HISTORICAL COLLECTIONS OF WALTER OF COVENTRY.** Vols. I. and II. *Edited, from the MS. in the Library of Corpus Christi College, Cambridge, by WILLIAM STUBBS, M.A., Regius Professor of Modern History, and Fellow of Oriel College, Oxford.* 1872-1873.

This work, now printed in full for the first time, has long been a *desideratum* by Historical Scholars. The first portion, however, is not of much importance being only a compilation from earlier writers. The part relating to the first quarter of the thirteenth century is the most valuable and interesting.

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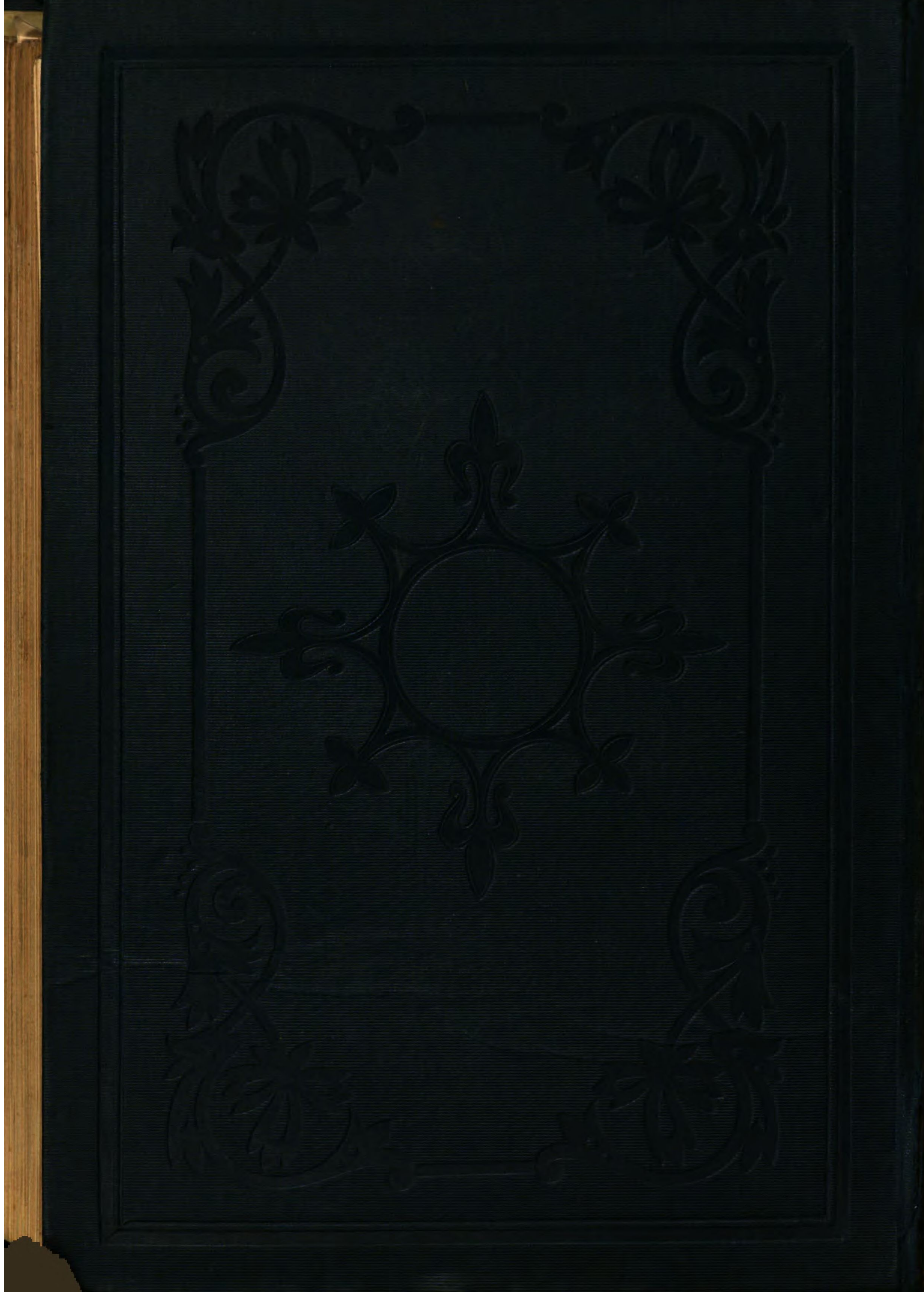
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